

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: AUGUST 18, 2004

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- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION – REVEREND PERRY CORDILL, UNIFICATION CHURCH
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE (excused from the afternoon session at 4:45 p.m.), BROWN, WEEKLY, MACK, MONCRIEF, and WOLFSON

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(9:04 – 9:05)

1-1

REVEREND PERRY CORDILL, Unification Church, gave the invocation.

(9:05)

1-21

MAYOR GOODMAN led the audience in the Pledge.

(9:05 – 9:06)

1-80

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE CITIZEN OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

This presentation was not made.

MINUTES:

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE EMPLOYEE OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation declaring August 18, 2004 as Thom Cooley Day

Submitted at meeting: copy of Employee of the Month plaque for Thomas Cooley

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward PAUL WILKINS, Director of the Building and Safety Department, to join him in recognizing THOMAS COOLEY, Inspections Supervisor, as August's Employee of the Month for his outstanding work performance and always going beyond the call of duty. MR. COLLEY serves as the primary contact for the Department for fire-related incidents and as a valuable team member on the Integrated Services Team, which meets to identify problems in some of the older areas of the City and facilitate improvements necessary to ensure a safe environment for the citizens of those areas. MR. COOLEY has been actively involved in the team's efforts to eliminate code violations and unsafe conditions within the City. He has also served as a leader outside the office and been active with several professional organizations within the building industry. MAYOR GOODMAN presented MR. COOLEY with a proclamation declaring August 18, 2004 as Thom Cooley Day.

MR. WILKINS expressed his admiration for MR. COOLEY for his integrity, honesty, and good work ethic. He is a model of a perfect employee.

MR. COOLEY thanked the Council, especially the Mayor, his staff, and all the people he has worked with throughout the years. MRS. COOLEY expressed her gratitude to the Council for recognizing her husband. With tears, she said that her husband has worked very hard for the City and loves the Department of Building and Safety.

(9:06 – 9:11)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE SENIOR CITIZEN OF THE QUARTER

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Senior of the Quarter Certificate for Dolores "Dolly" Aguglia

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward JERRY KOSBAB, Chairman of the Senior Citizens Advisory Board, to introduce the Senior Citizen of the Quarter. MR. KOSBAB honored DOLLY AGUGLIA, who was nominated for her outstanding commitment to helping others, especially the seniors at Archie Grant Park, where she serves as President of the Archie Grant Resident Association. MS. AGUGLIA handles all the details involved in the monthly commodities (food) program, including pickup and delivery of the food. She also responds to calls from her neighbors and takes them to doctor appointments and to fill prescriptions. Her passion for serving is evident in the relationships she has developed at the complex.

MS. AGUGLIA accepted the Senior of the Quarter Certificate and said that she enjoys everything she does for the seniors.

(9:11 – 9:13)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF PUBLIC SAFETY VEGAS FLYERS YOUTH TRACK CLUB

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN BROWN invited ROY SESSION, founder and head coach, and JOHN YANCEE, President, to come forward. COUNCILMAN BROWN explained that the Public Safety (P.S.) Vegas Flyers is a youth track club founded by Clark County Fire Captain Roy Session. In June the Flyers advanced 22 youth athletes from the Regional USA Track & Field Association meet in Los Angeles to compete in the Junior Olympics in Eugene, Oregon. This competition took place 7/26/04 through 8/1/2004 at the historic Hayward Track & Field Facility on the campus of the University of Oregon. This National Junior Olympics Track & Field Championship event attracted more than 6,500. The P.S. Vegas Flyers qualified as the single largest contingency of athletes from Nevada, representing Region 15, which is made up of Hawaii, San Diego, Southern California, and Nevada. In order to receive a medal at the Junior Olympics, one must place in the final top eight positions. Prior to this national event, the Flyers had three youths ranked in the top eight positions in various events. The Flyers ran away with 12 national medals, including the crowning of one National Champion.

Each of the Track Club athletes came forward as COUNCILMAN BROWN called their names. While they were coming forward, he mentioned the medals each member won and the place he/she took in the event.

City of Las Vegas

CITY COUNCIL MEETING OF AUGUST 18, 2004

Ceremonial

Recognition of Public Safety Vegas Flyers Youth Track Club

MINUTES – Continued:

COACH SESSION said that the team worked very hard in this difficult competition. MR. YANCEE thanked the athletes and the Council for this recognition, especially COUNCILMAN BROWN for his support of youth athletics.

COUNCILMAN BROWN handed COACH SESSION a Proclamation recognizing the P.S. Vegas Flyers Youth Track Club.

(9:13 – 9:21)

1-283

Also, COUNCILMAN BROWN recognized the 2004 Lone Mountain Little League Major Girls Softball All-Stars, who participated in the Western Regionals in Vancouver, Washington, as the Nevada State Champions for 11 and 12 year-olds. COACH BERNEY WILLIAMS and ASSISTANT COACHES BRYAN McEVILLY and TOM WELD came forward before COUNCILMAN BROWN called each of the team members forward.

COACH WILLIAMS stated that the team did a very good job. He gave recognition to Plat Building Systems, Pulte Homes, Bill Heard Chevrolet, and Lone Mountain Little League for their sponsorship. He gave thanks to COACHES WAYNE WILSON and PAT THOMAS, as well as to the City Council.

(9:21 – 9:27)

1-533

Under Item 2, COUNCILMAN MACK welcomed KYLE CAMPBELL, who would be sitting with him during the meeting. He is a friend of Ward 6 and a Ward 4 resident.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Items 58 and 65 – UNANIMOUS with BROWN not voting

MINUTES:

There was no discussion.

(9:27 – 9:28)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$64,162,005.38

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 07/16/04 - 07/31/04

Total Services and Materials Checks	\$	15,029,582.50
Total Payroll Checks	\$	5,692,908.66
Total Wire Transfers	\$	43,439,514.22

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

NOTE: COUNCILMAN MACK disclosed that Item 12 involves a location near a SuperPawn owned by his brother, STEVEN MACK, for whom he does consulting. However, COUNCILMAN MACK indicated he would be voting, as his brother has not mentioned this matter to him and COUNCILMAN MACK did not feel it would have any impact on his brother's properties.

CITY COUNCIL MEETING OF AUGUST 18, 2004

Consent – Finance and Business Services

Item 2 – Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

MINUTES:

COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items not previously stricken on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

DEPUTY CITY ATTORNEY TOM GREEN requested Item 52 be pulled forward for discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to appropriate funding for the expansion of the Building and Safety West Service Center facility (\$1,000,000) from the Development Services Enterprise Fund (EF) to the City Facilities Capital Projects Fund (CPF) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

Amount: \$1,000,000

☐

Budget Funds Available

Dept./Division: Finance and Business Services

☒

Augmentation Required

Funding Source: City Facilities CPF

PURPOSE/BACKGROUND:

Expansion of the Building & Safety facility at the West Service Center is required to provide adequate workspace for positions approved in the fiscal year 2004-05 budget. This project was not previously requested and does not appear on an authorized project listing. Funding for the project will be made available through a transfer from the Development Services Enterprise Fund.

RECOMMENDATION:

Staff recommends approval to appropriate funding for the expansion of Building and Safety West Service Center facility in the amount of \$1,000,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a report by the City Treasurer of the July 27, 2004 sale of properties subject to the lien of a delinquent assessment in Special Improvement Districts 404, 707 and 808 (Summerlin area) - Wards 2 and 4 (Wolfson and Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

NRS 271.565 states that within 15 days after the completion of the sale of all property described in the assessment roll upon which a delinquent assessment or installment is unpaid, the municipal treasurer shall prepare a statement of his actions concerning the sale showing all the property sold by him, to whom sold, and the sums paid for each tract. Such report shall be presented to the governing body at its regular meeting next following the preparation of the statement.

RECOMMENDATION:

Report only, no action required.

BACKUP DOCUMENTATION:

Report of Sale Memorandum from Michael K. Olson, City Treasurer, dated July 30, 2004.

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to modify the Parks in Progress listing to add and authorize \$100,000 from the Parks and Leisure Activities Capital Projects Fund (CPF) balance for an Estelle Neal Park Water Feature project - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$100,000

☐

Budget Funds Available

Dept./Division: Budget and Finance

☒

Augmentation Required

Funding Source: Parks and Leisure Activities CPF

PURPOSE/BACKGROUND:

Requesting the addition of the Estelle Neal Park Water Feature project to the approved parks listing and authorize funding in the amount of \$100,000 to be made available through the "In Lieu of Open Space" revenue.

RECOMMENDATION:

Staff recommends approval of the modification and authorization of funding.

BACKUP DOCUMENTATION:

Parks in Progress Listing

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to provide \$35,000 additional funding from the Parks and Leisure Activities Capital Projects Fund (CPF) balance for the Natural History Museum project - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$35,000

☐

Budget Funds Available

Dept./Division: Budget and Finance

☒

Augmentation Required

Funding Source: Parks and Leisure CPF

PURPOSE/BACKGROUND:

Requesting \$35,000 in additional funding to the Natural History Museum project to cover the cost of replacing deteriorated plumbing and a collapsed floor not found until work began. Fund balance made available through closing completed projects would be appropriated to cover the increased project costs.

RECOMMENDATION:

Staff recommends approval of an increase in funding

BACKUP DOCUMENTATION:

Parks in Progress Listing

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to provide additional funding to the Doolittle Recreation Center project in an amount not to exceed \$300,000 from the Parks and Leisure Activities Capital Projects Fund (CPF) balance and increase the related contract 01.15301.18-LED by an amount not-to-exceed \$310,000 - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$310,000

☐

Budget Funds Available

Dept./Division: Budget and Finance

☒

Augmentation Required

Funding Source: Parks and Leisure Activities CPF

PURPOSE/BACKGROUND:

A settlement is being negotiated with Richardson Construction on the Doolittle Recreation Center project. Contract 01.15301.18-LED must be modified and additional funding allocated in order to authorize the final settlement payment (which should not exceed \$310,000). Funding will be made available from the Parks and Leisure Activities CPF Fund Balance.

RECOMMENDATION:

Staff recommends approval of an increase in funding and modification of contract 01.15301.18-LED.

BACKUP DOCUMENTATION:

Parks in Progress Listing

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother’s properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Sean Lucero, Location: East Las Vegas Senior Center, 250 North Eastern Avenue, Date: September 11, 2004, Type: Special Event Beer/Wine, Event: Wedding Reception, Responsible Person in Charge: Claudia Rodriguez - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership, Location and Business Name for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Gustav International Chartered, dba Plush, 221 North Rampart Boulevard, Suite 7140 (Non-operational), Gustav E. Mauler, Dir, Pres and Denise M. Mauler, 50% jointly as husband and wife, Paul C. Steelman, Dir, Treas and Maryann T. Steelman, Dir, Secy, 50% jointly as husband and wife, To: Gourmet Systems of Nevada, Inc., dba Applebee's Neighborhood Grill & Bar, 4605 West Charleston Boulevard, Carin L. Stutz, Dir, Pres, Robert T. Steinkamp, Dir, Secy, Treas - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership, Location and Business Name for a Supper Club License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Delian Lamela, dba Guatemala Restaurant, Delian A. Lamela and Osmel R. Lamela, 100% jointly as husband and wife, To: Pedro Ramirez, dba Mariscos El Mariachi, 552 North Eastern Avenue, Suite A, Pedro M. Ramirez, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

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Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Tavern License, Sun City Summerlin Community Association, Inc., dba From: Sun City Summerlin Golf Course Grille, To: Palm Valley Golf Course/Vista Grill, 9201 Del Webb Boulevard, Frederick W. Schaefer, Dir - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Tavern License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

Approval of a new Hypnotist License, Laura Birnbaum, dba Laura Birnbaum, 4750 West Sahara Avenue #34, Laura Birnbaum, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Hypnotist License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

NOTE: Under Item 2, COUNCILMAN MACK disclosed that Item 12 involves a location near a SuperPawn owned by his brother, STEVEN MACK, for whom he does consulting. However, COUNCILMAN MACK indicated he would be voting, as his brother has not mentioned this matter to him and COUNCILMAN MACK did not feel it would have any impact on his brother's properties.

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Class III-A Secondhand Dealer License, Edward L. Taguba, dba Jewelry Express of Las Vegas, 3071 North Rainbow Boulevard, Suite 100, Edward L. Taguba, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Class III-A Secondhand Dealer License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Preapproval of award of Bid No. 040333-KF for a Bomb Squad Emergency Services Vehicle - Department of Fire and Rescue (not to exceed \$199,227 - Multi-Purpose Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$199,227

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Multi-Purpose SRF

PURPOSE/BACKGROUND:

This bid will provide a Bomb Squad Emergency Services Vehicle to be used by the Fire and Rescue Bomb Squad to transport a robot equipped with water cutting technology. This purchase is reimbursed 100% by Department of Justice, Office of Domestic Preparedness (ODP) Grant.

PCC: K. Falline

RECOMMENDATION:

That the City Council approve the award of Bid No. 040333-KF for a Bomb Squad Emergency Services Vehicle not to exceed \$199,227.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **CONSENT**

☐ **DISCUSSION**

SUBJECT:

Approval of award of Bid No. 040395-KF, Adtran Microwave Antenna System - Department of Fire and Rescue - Award recommended to: DAY WIRELESS SYSTEMS (\$130,750.02 - Multi-Purpose Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$130,750.02

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Multi-Purpose SRF

PURPOSE/BACKGROUND:

This request will allow for the purchase of an Adtran Microwave Antenna System to be used by Las Vegas Metropolitan Police Department. Funding for this purchase will come from a cost-sharing, U.S. Department of Justice Community Oriented Policing Services (COPS) grant in the form of a 75%/25% cash-match agreement.

PCC: K. Falline

POC: Barry Wendel - (702) 736-2186

RECOMMENDATION:

That the City Council approve the award of Bid No. 040395-KF, Adtran Microwave Antenna System to Day Wireless Systems in the amount of \$130,750.02.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040391-GL, Annual Requirements Contract for Bus Transportation - Department of Leisure Services - Award recommended to: COACH USA (Estimated annual amount of \$120,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$120,000

☒

Budget Funds Available

Dept./Division: Leisure Services

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This request provides for an annual requirements contract for bus transportation to accommodate people with disabilities in after-work and after-school recreation programs.

PCC: G. Leaf

POC: Dana Warring - (702) 632-2137

RECOMMENDATION:

That the City Council approve the award of Bid No. 040391-GL, Annual Requirements Contract for Bus Transportation to Coach USA from date of award through August 31, 2005 with three (3) one-year options to renew in the estimated annual amount of \$120,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040378-TB, Perennial Rye Grass Seed - Department of Field Operations - Award recommended to: SIMPLOT PARTNERS (\$77,550 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$77,550

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This request will allow for the purchase of perennial rye grass seed for use at various parks and open spaces locations throughout the City.

PCC: T. Bowman

POC: Tom Derry - (702) 649-1551

RECOMMENDATION:

That the City Council approve the award of Bid No. 040378-TB, Perennial Rye Grass Seed to Simplot Partners in the amount of \$77,550.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of revision to purchase order 212515 for Uniform Services - Various Departments -
Award to: UNIFIRST CORPORATION (\$50,000 - Various Funds)

Fiscal Impact

☐

No Impact

Amount: \$50,000

☒

Budget Funds Available

Dept./Division: Various

☐

Augmentation Required

Funding Source: Various Funds

PURPOSE/BACKGROUND:

On September 5, 2001, City Council approved an agreement to join Clark County Bid No. 02-091401 for uniform services in the amount of \$250,000. An increase was approved on May 7, 2003 in the amount of \$150,000. This revision is being written to add \$50,000 for the increase in usage through September 30, 2004.

PCC: A. Green

POC: Thom K. Chavez - (702) 565-8791

RECOMMENDATION:

That the City Council approve the issuance of revision to purchase order 212515 for Uniform Services to Unifirst Corporation to add an additional \$50,000 for a revised total annual amount of \$450,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Contract No. 040352-CW for Audio/Visual Design and Install -
Department of Fire and Rescue - Award recommended to: SYSTEM SERVICES, INC. (\$43,800
- Computer Services Internal Service Fund) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$43,800

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Computer Services ISF

PURPOSE/BACKGROUND:

This contract will provide design, equipment and installation of a new audio/visual system, including videoconferencing, for the City's Central Fire Station Emergency Operations Conference Room at 500 N. Casino Center Blvd. Award of contract is a result of RFP 040352-CW.

PCC: C. White

POC: Mike Mahoney - (702) 645-8415

RECOMMENDATION:

That City Council approve the award of Contract No.040352-CW to System Services, Inc. in the amount of \$43,800. Authority to execute Contract is given to Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040247-TG, Annual Requirements Contract for Traffic Cones - Departments of Public Works and Field Operations - Award recommended to: FLORIDA TRANSCOR (Estimated annual amount of \$40,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: Estimated Annual amount of \$40,000

☒

Budget Funds Available

Dept./Division: Public Works/Field Operations

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This request is for an annual requirements contract to purchase traffic cones to be used by Public Works Traffic Engineering Field, Operations Division and Field Operations Streets and Sanitation Division for traffic control projects.

PCC: A. Green

POC: Christa C. Gramling - (800) 766-7604

RECOMMENDATION:

That the City Council approve the award of Bid No. 040247-TG, Annual Requirements Contract for Traffic Cones to Florida Transcor from date of award through July 31, 2005 with four (4) one-year options to renew in the estimated annual amount of \$40,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 05.1730.08-CW, Elkhorn Road Grade Separation Over US 95 Billboard Removals and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: YOUNG ELECTRIC SIGN COMPANY (\$38,768 - Road and Flood Capital Projects Fund) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$38,768

☒

Budget Funds Available

Dept./Division: Public Works

☐

Augmentation Required

Funding Source: Road and Flood CPF

PURPOSE/BACKGROUND:

This project consists of the removal of two 40-foot high billboards located on the west and east sides of US 95 that will be in conflict with the proposed grade separation at Elkhorn Road. The billboards and foundations will be removed from within City and State rights-of-way for the proposed overpass structure, and will be stored at a location designated by the affected billboard companies.

PCC: C. White

POC: John Williams - (702) 876-8080

RECOMMENDATION:

That the City Council approve the award of Bid No. 05.1730.08-CW to Young Electric Sign Company in the amount of \$38,768 and approve a construction conflicts and contingency reserve of \$3,877. Authority to execute the Contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

CITY COUNCIL MEETING OF AUGUST 18, 2004
Consent – Finance and Business Services
Item 21 – Bid No. 05.1730.08-CW

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for three years of support and maintenance for Kofax Software - Department of Information Technologies - Award recommended to: WESTERN OFFICE SYSTEMS (Estimated amount of \$30,536 - Computer Services Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$30,536

☒

Budget Funds Available

Dept./Division: Information Technologies

☐

Augmentation Required

Funding Source: Computer Services ISF

PURPOSE/BACKGROUND:

This request provides for three years of support and maintenance for Kofax Software.

This purchase is exempt from competitive bidding pursuant to NRS 332.115.1(h), software for computers.

PCC: G. Leaf

POC: Ray Hughes - (480) 603-0538

CFN: 040028-LW

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for three years of support and maintenance for Kofax Software from date of award through July 31, 2007 in the estimated amount of \$30,536 for the three year period.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Agreement No. 050016, Design for a Secure Network for Interoperable Mobile Wireless Environments - Department of Fire and Rescue - Award Recommended to: BOARD OF REGENTS, UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA, ON BEHALF OF THE UNIVERSITY OF NEVADA, LAS VEGAS (\$30,000 - Multi-Purpose Special Revenue Fund)

Fiscal Impact☐**No Impact****Amount:** \$30,000☒**Budget Funds Available****Dept./Division:** Fire and Rescue☐**Augmentation Required****Funding Source:** Multi-Purpose SRF**PURPOSE/BACKGROUND:**

This agreement will facilitate the development of a strategy and a design standard for a Secure Network for Interoperable Mobile Wireless Environments to be used by first responders. This research and development is funded through a cost-sharing U.S. Department of Justice Community Oriented Policing Services (COPS) grant in the form of a 75%/25% cash-match agreement.

This purchase is exempt from competitive bidding pursuant to NRS 332.115.1(b), professional services.

PCC: D. Kaplan

POC: Bill Schulze - (702) 895-1357

RECOMMENDATION:

That the City Council approve the award of Agreement No. 050016, Secure Network for Interoperable Mobile Wireless Environments to the Board of Regents in the amount of \$30,000 Authority to execute Agreement is given to Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

CITY COUNCIL MEETING OF AUGUST 18, 2004
Consent – Finance and Business Services
Item 23 – Award of Agreement No. 050016

MOTION – Continued:

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 04.15341.04-CW, Fire Station 8, 805 N. Mojave Road, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Fire and Rescue - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$3,735,000 - Fire Services Capital Projects Fund) - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

Amount: \$3,735,000

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Fire Services CPF

PURPOSE/BACKGROUND:

This project consists of the building a new fire station, including on-site and off-site improvements at 805 N. Mojave Road, the northwest corner of Mojave and Harris.

PCC: C. White

POC: Rafael Medina, Jr. - (702) 451-5511

RECOMMENDATION:

That the City Council approve the award of Bid No. 04.15341.04-CW to Rafael Construction, Inc. in the amount of \$3,735,000 and approve a construction conflicts and contingency reserve of \$250,000. Authority to execute the Contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Service and Equipment Agreement (including indemnification provision) for Fire Station 5, 1020 Hinson Street - Department of Fire and Rescue - Award recommended to: SPRINT (\$8,155.18 - General Fund) - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** \$8,155.18☒**Budget Funds Available****Dept./Division:** Fire and Rescue☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This approval is to allow the Purchasing and Contracts Manager to sign an agreement for phone equipment and installation at Fire Station No. 5 which is located at 1020 Hinson Street. The agreement includes limited indemnification provisions in Paragraph 4.1 B(3) and Paragraph 6, which require City Council approval.

PCC: K. Falline

POC: Evelyn Ealy - (702) 244-7723

RECOMMENDATION:

That the City Council approve award of a Service and Equipment Agreement to Sprint, which includes indemnification provisions. Authority to execute the agreement is given to the Purchasing Manager.

BACKUP DOCUMENTATION:

Service and Equipment Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FIRE & RESCUE**DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval authorizing the Department of Fire & Rescue to execute a Secondary User's Agreement with Boulder City Hospital for the transfer of interoperable radio equipment for public safety communications - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Secondary User's Agreement between the City of Las Vegas and Boulder City Hospital will facilitate the temporary transfer of radio equipment to enable interoperable communications between the hospitals and public safety agencies in the region. This equipment was acquired through the FY2003 U.S. Department of Homeland Security Phase-II grant program. This agreement also authorizes the City to invoice Boulder City Hospital annually for the user fee assessment for each radio activated on the regional radio system.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval, with authorization for the department to execute the agreement.

BACKUP DOCUMENTATION:

Secondary User's Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FIRE & RESCUE

DIRECTOR: DAVID L. WASHINGTON

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Metropolitan Police Department for the transfer of U.S. Department of Homeland Security grant funds to support the Metro Volunteer Program - All Wards

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This Interlocal Agreement between the City of Las Vegas and the Las Vegas Metropolitan Police Department will facilitate the transfer of \$56,643 in reimbursement funds from the City to Metro to support the Metro Volunteer Program (MVP). These funds are from the FY2004 U.S. Department of Homeland Security Citizen Corps Program grant.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval.

BACKUP DOCUMENTATION:

Interlocal Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FIRE & RESCUE**DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval authorizing the Department of Fire & Rescue to execute a Secondary User's Agreement with Spring Valley Hospital Medical Center for the transfer of interoperable radio equipment for public safety communications - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Secondary User's Agreement between the City of Las Vegas and Spring Valley Hospital Medical Center will facilitate the temporary transfer of radio equipment to enable interoperable communications between the hospitals and public safety agencies in the region. This equipment was acquired through the FY2003 U.S. Department of Homeland Security Phase-II grant program. This agreement also authorizes the City to invoice Spring Valley Hospital Medical Center annually for the user fee assessment for each radio activated on the regional radio system.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval, with authorization for the department to execute the agreement.

BACKUP DOCUMENTATION:

Secondary User's Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FIRE & RESCUE**DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval authorizing the Department of Fire & Rescue to execute a Secondary User's Agreement with Valley Hospital Medical Center for the transfer of interoperable radio equipment for public safety communications - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Secondary User's Agreement between the City of Las Vegas and Valley Hospital Medical Center will facilitate the temporary transfer of radio equipment to enable interoperable communications between the hospitals and public safety agencies in the region. This equipment was acquired through the FY2003 U.S. Department of Homeland Security Phase-II grant program. This agreement also authorizes the City to invoice Valley Hospital Medical Center annually for the user fee assessment for each radio activated on the regional radio system.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval, with authorization for the department to execute the agreement.

BACKUP DOCUMENTATION:

Secondary User's Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of payment for a permanent partial disability award - Claim #WC03120309 - as required under the workers' compensation statutes (\$73,345 - Workers' Compensation Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$73,345

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Workers' Compensation Internal Service Fund

PURPOSE/BACKGROUND:

A firefighter was diagnosed with lung disease after voluntary retirement on 7-9-88. The firefighter has been rated by a state authorized physician who determined that the injury resulted in a 40 percent whole body impairment.

RECOMMENDATION:

Approval of the \$73,345 payment for permanent partial disability award.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Second Supplemental Interlocal Contract #401b - Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Regional Transportation Commission (RTC) to increase total project funding (\$3,178,400 - Regional Transportation Commission) - Ward 2 (Wolfson)

Fiscal Impact☐**No Impact****Amount:** \$3,178,400☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

Second Supplemental Interlocal Contract #401b will increase funding for Durango Drive, Westcliff Drive to Vegas Drive. Additional funding is necessary due to an increase in concrete and steel prices. The RTC approved this contract at their July 8, 2004 Board meeting. Total cost of this project shall not exceed \$17,601,400.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Second Supplemental Interlocal Contract #401b

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Supplemental No. 6 Interlocal Contract for Traffic Capacity and Safety Improvements - Fifth Program Year between the City of Las Vegas, Clark County and the Regional Transportation Commission (RTC) to increase total project funding and extend the date of completion (\$94,943.50 - Regional Transportation Commission) - All Wards

Fiscal Impact

☐

No Impact

Amount: \$94,943.50

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: RTC

PURPOSE/BACKGROUND:

Sixth Supplemental Interlocal Contract will increase funding and extend the date of completion for Traffic Capacity and Safety Improvements - Fifth Program Year. Additional funding and time are necessary to complete construction of the project. The RTC approved this contract at their July 8, 2004 Board meeting. Total cost of this project shall not exceed \$1,029,090.07.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Supplemental No. 6 Interlocal Contract

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Third Supplemental Interlocal Contract #388c - Alexander/Hualapai, Cheyenne Avenue to Cimarron Road between the City of Las Vegas, Clark County and the Regional Transportation Commission (RTC) to increase total project funding (\$236,000 - Regional Transportation Commission) - County and Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$236,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: RTC

PURPOSE/BACKGROUND:

Third Supplemental Interlocal Contract #388c will increase funding for Alexander/Hualapai, Cheyenne Avenue to Cimarron Road. Additional funding is necessary to complete construction of the project. The RTC approved this contract at their July 8, 2004 Board meeting. Total cost of this project shall not exceed \$8,736,700.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Third Supplemental Interlocal Contract #388c

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Interlocal Contract #479 - Entity Non-Project Specific Expenses between the City of Las Vegas and the Regional Transportation Commission (RTC) to allow for the reimbursement of expenses related to work on RTC issues (\$100,000 - Regional Transportation Commission) - All Wards

Fiscal Impact

☐

No Impact

Amount: \$100,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: RTC

PURPOSE/BACKGROUND:

Interlocal Contract #479 will provide funding for the reimbursement of non-project specific expenses, by the City of Las Vegas to expedite RTC funded projects and to allow for the reimbursement of expenses related to work on RTC issues that are not attributable to a specific project. The RTC approved this contract at their July 8, 2004 Board meeting. Total cost of the project shall not exceed \$100,000

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract #479

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother’s properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of First Supplemental Interlocal Contract LAS.10.W.04 - Lone Mountain System, Lone Mountain Detention Basin Outfall to Durango Drive between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCDD) to increase total project funding (\$517,000 - Clark County Regional Flood Control District) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

Amount: \$517,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: CCRFCDD

PURPOSE/BACKGROUND:

First Supplemental Interlocal Contract LAS.10.W.04 will provide funding for construction and construction management of the Lone Mountain System, Lone Mountain Detention Basin Outfall to Durango Drive. Additional funding is necessary due to an increase in concrete and steel prices. The Clark County Regional Flood Control District approved this contract at their July 8, 2004 Board meeting. Total cost of the project shall not exceed \$3,800,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

First Supplemental Interlocal Contract LAS.10.W.04

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother’s properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Third Supplemental Interlocal Contract LAS.16.D.01 Ann Road, Allen Lane to Rancho Drive between the City of Las Vegas and the Clark County Regional Flood Control District to extend the date of completion - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Third Supplemental Interlocal Contract LAS.16.D.01 will extend the date of completion for the Ann Road, Allen Lane to Rancho Drive project. Additional time is necessary to complete any construction conflicts. The Clark County Regional Flood Control District approved this contract at their July 8, 2004 Board meeting.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Third Supplemental Interlocal Contract LAS.16.D.01

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

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DISCUSSION

SUBJECT:

Approval of Fourth Supplemental Interlocal Contract LAS.16.A.98 - Ann Road Channel West - Allen Lane to Rancho Drive between the City of Las Vegas and the Clark County Regional Flood Control District to extend the date of completion - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Fourth Supplemental Interlocal Contract LAS.16.A.98 will extend the date of completion for Ann Road Channel West - Allen Lane to Rancho Drive. Additional time is necessary to complete any construction conflicts. The Clark County Regional Flood Control District approved this contract at their July 8, 2004 Board meeting.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Fourth Supplemental Interlocal Contract LAS.16.A.98

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

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CONSENT

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DISCUSSION

SUBJECT:

Approval of Interlocal Contract LAS.16.E.04 - Rancho Detention Basin Phase II between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for the design associated with the Rancho Detention Basin Phase II (\$52,364 - Clark County Regional Flood Control District) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$52,364

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: CCRFCD

PURPOSE/BACKGROUND:

Interlocal Contract LAS.16.E.04 applies to design associated with the Rancho Detention Basin Phase II. The basic improvements shall consist of completion of the embankment and spillway for the detention basin. The Clark County Regional Flood Control District approved this contract at their July 8, 2004 Board meeting. Total cost of the project shall not exceed \$52,364.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract LAS.16.E.04

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

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DISCUSSION

SUBJECT:

Approval of Interlocal Contract LAS.16.F.04 - Rancho Road System (El Campo Grande Storm Drain) between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for the design associated with the Rancho Road System (El Campo Grande Storm Drain) (\$175,800 - Clark County Regional Flood Control District) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$175,800

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: CCRFCD

PURPOSE/BACKGROUND:

Interlocal Contract LAS.16.F.04 applies to design associated with the Rancho Road System (El Campo Grande Storm Drain). The basic improvements shall consist of completion of a 60" storm drain in El Campo Grande from Durango Drive to the Rancho Detention Basin. The Clark County Regional Flood Control District approved this contract at their July 8, 2004 Board meeting. Total cost of the project shall not exceed \$175,800.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract LAS.16.F.04

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKD**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Second Supplemental Interlocal Contract LAS.09.T.04 - Freeway Channel, Charleston Lateral between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the award of bid date - Wards 1 and 2 (Moncrief and Wolfson)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Second Supplemental Interlocal Contract LAS.09.T.04 will extend the award of bid date for Freeway Channel, Charleston Lateral. Additional time is necessary due to a delay with the Nevada Department of Transportation permit. The Clark County Regional Flood Control District approved this contract at their July 8, 2004 Board meeting.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Second Supplemental Interlocal Contract LAS.09.T.04

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Cherng Family Trust, owner (northeast corner of Lamb Boulevard and Bonanza Road) - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of landscaping at the northeast corner of Lamb Boulevard and Bonanza Road consisting of shrubs, ground cover and an irrigation system for a proposed Panda Express restaurant. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (northeast corner of Lamb Boulevard and Bonanza Road)
2. Copy of Encroachment Exhibit "B" (typical section and vicinity map)

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Astoria Northwest 40, LLC, owner (northeast corner of Farm Road and Fort Apache Road) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of landscaping on the north side of Farm Road east of Fort Apache Road, the medians of Farm Road east of Fort Apache Road, the east side of Fort Apache Road between Farm Road and Gilcrease Avenue and on the south side of Gilcrease between Fort Apache and Oso Blanca Road consisting of landscaping and irrigation to meet Town Center Landscaping Requirements for the proposed Astoria at Town Center North subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (Farm Road)
2. Copy of Encroachment Exhibit "B" (Farm Road)
3. Copy of Encroachment Exhibit "C" (northeast corner of Farm Road and Fort Apache Road)
4. Copy of Encroachment Exhibit "D" (southeast corner of Fort Apache Road and Gilcrease Avenue)
5. Copy of Encroachment Exhibit "E" (Gilcrease Avenue)

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Taney Engineering, Incorporated, on behalf of Bright Angel Church of Christ, owner (northeast corner of Bright Angel Way and Riley Street) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of an approximate 5' wide area of landscaping on the north side of Bright Angel Way extending approximately 441' eastward from Riley Street consisting of shrubs, crushed rock ground cover and an irrigation system for the Bright Angel Church of Christ. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment "A" (legal description of location)
2. Copy of Encroachment "B" (northeast corner of Bright Angel Way and Riley Street)

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Rob Gurdison on behalf of Stephen M. Wold and Brian K. Iriye, owners (Pinto Lane between Tonopah Drive and Rose Street) - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of three 5' by 5' tree gates on the south side of Pinto Lane adjacent to the property to meet City of Las Vegas Medical District Plan landscaping requirements for the proposed CMFM Medical Office Building. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Pinto Lane)

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a First Amendment to Professional Services Agreement with G.C. Wallace, Inc., for the design of Durango Drive from Westcliff to Vegas Drive (\$89,200 - Regional Transportation Commission) - Ward 2 (Wolfson)

Fiscal Impact

☐

No Impact

Amount: \$89,200

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: RTC

PURPOSE/BACKGROUND:

This amendment is needed to include additional design services and construction phase support services during the completion of the construction phase of this project.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

First Amendment to Professional Services Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Non-refundable Contribution in Aid of Construction Agreement with Nevada Power Company for Traffic Improvement Package #5 (Alta Drive and Rampart Boulevard) (\$72,955 - Regional Transportation Commission) - Ward 2 (Wolfson)

Fiscal Impact☐**No Impact****Amount:** \$72,955☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

The City of Las Vegas is responsible for reimbursing Nevada Power Company for certain facility relocations required for intersection improvements because Nevada Power Company has prior easement rights. Included in the cost is the Contribution in Aid of Construction tax. This tax is required pursuant to an order issued on December 20, 1988 by the Public Service Commission of Nevada, which adopted by reference Section 118 of the Internal Revenue Code as amended on October 22, 1986 by the Tax Reform Act of 1986.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Non-refundable Contribution in Aid of Construction Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Engineering Design Services Agreement for On Call Services with Berryman & Henigar, Inc., for Clark County Regional Flood Control District (CCRFCD) Annual Maintenance (\$500,000 - Clark County Regional Flood Control District) - All Wards

Fiscal Impact

☐

No Impact

Amount: \$500,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: CCRFCD

PURPOSE/BACKGROUND:

The purpose of this agreement is for City Engineer Division staff to procure on-call engineering design services for design or construction projects related to the annual maintenance of CCRFCD facilities within the City limits.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Engineering Design Services Agreement with Kimley-Horn and Associates, Inc., for the Bonanza Trail Improvements (\$778,056 - Parks and Leisure Capital Project Fund) - Wards 1, 2 and 5 (Moncrief, Wolfson and Weekly)

Fiscal Impact

☐

No Impact

Amount: \$778,056

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Parks and Leisure CPF

PURPOSE/BACKGROUND:

The City desires to construct the Bonanza Trail Improvements which will extend from Summerlin Parkway and Buffalo Drive to the downtown area. Approval of this agreement will allow Kimley-Horn and Associates, Inc., to proceed with the design of this trail system. This project is partially funded with Southern Nevada Public Lands Management Act (SNPLMA) money.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of funding for relocation of existing Sprint - Central Telephone facilities located adjacent to the Water Pollution Control Facility at 6005 East Vegas Valley Drive (\$30,000 - Sanitation Fund) - County

Fiscal Impact

☐

No Impact

Amount: \$30,000

☒

Budget Funds Available

Dept./Division: Public Works/Environmental

☐

Augmentation Required

Funding Source: Sanitation Fund

PURPOSE/BACKGROUND:

Design is complete for the first phase of security upgrades at the Water Pollution Control Facility (WPCF) as recommended in the Vulnerability Assessment. Included in this project (WPCF - Contract 31) is the design of one combined entrance with the dedicated right-turn lane on Vegas Valley Drive. These improvements necessitate the relocation of existing Sprint Facilities on the south side of Vegas Valley Drive.

RECOMMENDATION:

The Director of Public Works recommends that the City Council approve funding for the relocation of existing Sprint facilities adjacent to the Water Pollution Control Facility.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother’s properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the installation of Speed Humps on Van Buren Avenue between Lamb Boulevard and Marion Drive (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$7,800**☒**Budget Funds Available****Dept./Division: Public Works/Traffic Eng.**☐**Augmentation Required****Funding Source: Neighborhood Traffic Management Program****PURPOSE/BACKGROUND:**

Residents on Van Buren Avenue between Lamb Boulevard and Marion Drive have requested the installation of speed humps on their street. Studies conducted on this roadway showed that the 85th percentile speed was 40 mph and the volume of traffic was 1,157 vehicles per day. Van Buren Avenue accumulated 49 points; a total of 40 points is necessary to meet the speed hump criteria. Van Buren Avenue is not an emergency response route.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the installation of Speed Humps on Azure Drive between Torrey Pines Drive and Jones Boulevard (\$7,800 - Neighborhood Traffic Management Program) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$7,800☒**Budget Funds Available****Dept./Division:** Public Works/Traffic Eng.☐**Augmentation Required****Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Residents on Azure Drive between Torrey Pines Drive and Jones Boulevard have requested the installation of speed humps on their street. Studies conducted on this roadway showed that the 85th percentile speed was 43 mph and the volume of traffic was 1,764 vehicles per day. Azure Drive accumulated 78 points; a total of 40 points is necessary to meet the speed hump criteria. Azure Drive is not an emergency response route. The speed humps would be installed after the curb and gutter improvements have been completed on the south side of the street, which is estimated to be September 15, 2004.

RECOMMENDATION:

Traffic and Parking Commission: Approval

Staff: Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a General Release and Settlement Agreement, whereby City shall receive \$63,500 from Zurich North American Insurance Co., in exchange for releasing Off Site Improvement Bond NB1552 with Contractors Bonding and Insurance Company for a project called Corte Madera located at the northeast corner of Holly Avenue and Simmons Street - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Corte Madera Homeowners Association sued the developers and sureties of its 192 unit condominium project ("Corte Madera"), for construction defects. The City was not named in such action, but has its own claim against the surety for off site improvement defects. This global settlement agreement settles all claims in the matters involved, including the City's claim against the surety on Off Site Improvement Bond NB1552 with Contractors Bonding and Insurance Company. The City will receive \$63,500 upon approval of this Agreement.

RECOMMENDATION:

Approve the General Release And Settlement Agreement.

BACKUP DOCUMENTATION:

1. General Release And Settlement Agreement
2. Submitted at meeting: General Release and Settlement Agreement

MOTION:

REESE – APPROVED as recommended – UNANIMOUS

MINUTES:

Under Item 2, DEPUTY CITY ATTORNEY TOM GREEN requested Item 52 be pulled forward for discussion so that he could clarify that the other parties have made minor changes to the to the settlement agreement since this matter was placed on the agenda. The finalized agreement was provided to the City Clerk's Office and is ready for approval. The City will receive the money as soon as the agreement is signed and the escrow process is done.

(9:28 – 9:30/9:30 – 9:31)

1-758/1-830

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-141-2004 - Approval of a Resolution directing the City Treasurer to prepare the Third Assessment Lien Apportionment Report for Special Improvement District No. 1477 - Tenaya Way/Azure Drive (Levy Assessments) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Installation of pavement, curb and gutter, driveway approaches, traffic signals, storm drains, streetlights, sewer mains and laterals, and water mains and laterals.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-141-2004

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to **Outdoor Advertising Companies** with which he is actively negotiating on behalf of his company **Mack Consulting**, and on Item 42 because it involves **Astoria Homes**, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-142-2004 - Approval of a Resolution approving the Third Assessment Lien Apportionment Report for Special Improvement District No. 1477 - Tenaya Way/Azure Drive (Levy Assessments) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Installation of pavement, curb and gutter, driveway approaches, traffic signals, storm drains, streetlights, sewer mains and laterals, and water mains and laterals.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-142-2004

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-143-2004 - Approval of a Resolution Disposing of the Protests made at the hearing on the Provisional Order for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The installation of streetlights. The project is located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive. The preliminary estimated total cost of the Project is \$72,000.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-143-2004

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a request to use 18% Set Aside Funds to repay \$200,000 of Home Investment Partnerships (HOME) Program funding used to purchase property located at Lake Mead Boulevard and Gregory Street to facilitate the construction of affordable housing units (\$200,000 - 18% Set Aside Funds) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount: \$200,000**☒**Budget Funds Available****Dept./Division: NBHD SVS/NBHD DEV**☐**Augmentation Required****Funding Source: 18% Set Aside Funds****PURPOSE/BACKGROUND:**

On 8/16/95, Council approved \$200,000 in HOME funds for land acquisition and construction of housing at Lake Mead Boulevard and Gregory Street. The project was never constructed and the City assumed ownership of the property through foreclosure. Since the construction was not completed within HUD timelines, the City received a demand letter from Clark County to repay the \$200,000 of federal HOME funding from non-federal money. This exchange is necessary for repayment and to preserve the property for future construction of affordable housing units.

RECOMMENDATION:

The 8/17/2004 Real Estate Committee and staff recommend that the City Council approve the exchange of \$200,000 in HOME Funds with \$200,000 in 18% Set Aside Funds to preserve the property for future construction of affordable housing units.

BACKUP DOCUMENTATION:

9/2/03 Letter from Clark County

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with **MACK** abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

CITY COUNCIL MEETING OF AUGUST 18, 2004

Consent – Real Estate

Item 56 - Approval of a request to use 18% Set Aside Funds to repay \$200,000 of Home Investment Partnerships (HOME) Program funding used to purchase property located at Lake Mead Boulevard and Gregory Street to facilitate the construction of affordable housing units (\$200,000 - 18% Set Aside Funds) - Ward 5 (Weekly)

MINUTES:

Under Item 2, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items not previously stricken on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District (LVVWD) for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water lines and appurtenances to service The Animal Foundation located near Harris Avenue and Mojave Avenue, APN 139-25-405-008 - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Council approved a Lease with The Animal Foundation on 11/20/96. Their architectural firm completed a design plan depicting expansion of The Animal Foundation including other design aspects including canine bungalows, adoption, obedience and show centers, a barn, and a veterinary technician training facility. A new parcel map was recorded and a new Lease incorporating the above elements is underway. In order to have water lines and appurtenance(s) service the site, CLV is required to grant an Easement and Rights-of-Way to LVVWD for construction of the water lines and appurtenance(s).

RECOMMENDATION:

The 8/17/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – **UNANIMOUS** with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother's properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

CITY COUNCIL MEETING OF AUGUST 18, 2004

Consent - Real Estate

Item 57 – Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District (LVVWD) for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water lines and appurtenances to service The Animal Foundation located near Harris Avenue and Mojave Avenue, APN 139-25-405-008 - Ward 3 (Reese)

MINUTES:

Under Item 2, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items not previously stricken on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Sign Location Lease between City Parkway IV A Inc. and Viacom Outdoor Inc., for rental of space for a billboard sign located in the vicinity of Bonanza Road and Main Street, APN 139-27-401-031 (\$2,000 monthly revenue - Parks Capital Improvement Projects) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount: \$2,000 Revenue

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: Parks CIP

PURPOSE/BACKGROUND:

In conjunction with the acquisition of this parcel from Union Pacific, Viacom has a yearly lease for an existing billboard on site. This new lease is for five years with a five-year option and the yearly rental income will increase by \$6,000 with a Consumer Price Index increase each year.

RECOMMENDATION:

The 8/17/2004 Real Estate Committee and staff recommend this item be stricken

BACKUP DOCUMENTATION:

1. Sign Location Lease
2. Site Map

MOTION:

REESE – Motion to bring forward and STRIKE Items 58 and 65 – UNANIMOUS with BROWN not voting (and MACK abstaining on Item 58, as indicated under Item 2, because it involves connection to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting)

MINUTES:

There was no discussion.

(9:27 – 9:28)

1-731

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of entering into negotiations with Omega Development, LLC, for the sale of approximately 2.81 acres of City owned land located in the vicinity of Hualapai Way and Gilmore Avenue, APN 138-07-103-006 - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On July 30, 2004, staff received a non-binding letter of intent from Omega Development, LLC, for the purchase of approximately 2.81 acres of remnant land owned by the City. Omega has an Option to Purchase Agreement for five acres adjacent to this property and is proposing to build multifamily housing.

RECOMMENDATION:

The 8/17/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Site Map

MOTION:

REESE – APPROVED Items 2-51, 53-57, and 59 – UNANIMOUS with MACK abstaining on Item 13 to avoid any conflict because it involves a direct competitor wishing to locate within a few hundred feet of another of his brother’s properties, on Items 21 and 58 because they involve connections to Outdoor Advertising Companies with which he is actively negotiating on behalf of his company Mack Consulting, and on Item 42 because it involves Astoria Homes, with which he is negotiating to purchase a home

Item 52: APPROVED under separate action (see individual item)

Item 58: STRICKEN under separate action (see individual item)

CITY COUNCIL MEETING OF AUGUST 18, 2004

Consent – Real Estate

Item 59 - Approval of entering into negotiations with Omega Development, LLC, for the sale of approximately 2.81 acres of City owned land located in the vicinity of Hualapai Way and Gilmore Avenue, APN 138-07-103-006 - Ward 4 (Brown)

MINUTES:

Under Item 2, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items not previously stricken on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:28 – 9:30)

1-758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: ADMINISTRATIVE SERVICES**DIRECTOR: CHRISTOPHER KNIGHT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report and possible action on the Nevada League of Cities and Municipalities 2005 Proposed Legislative Package and Legislative Compact

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Nevada League of Cities (NLC) is allowed by state law to submit Bill Draft Requests (BDRs) to the Legislative Counsel Bureau. In preparation for the 2005 Session of the Nevada Legislature, the NLC's Legislative Committee held several meetings to discuss issues facing the league members and recommended a list of BDRs to their Board of Directors. The Nevada League of Cities Board adopted the BDR list and Legislative Compact at a meeting in Reno, Nevada on June 30, 2004.

RECOMMENDATION:

Staff recommends the Council receive the report and direct staff to support the BDRs and Legislative Compact in the best interests of the City of Las Vegas.

BACKUP DOCUMENTATION:

1. Nevada League of Cities and Municipalities 2005 Proposed Legislative Package
2. Legislative Compact
3. Submitted after meeting: hardcopy of PowerPoint presentation

MOTION:

REESE – ACCEPTED the report – UNANIMOUS

MINUTES:

TED OLIVAS, Director of Government and Community Affairs, indicated that this matter is to review the legislative package from the Nevada League of Cities, in which the City of Las Vegas is an active participant. CHRIS KNIGHT, Director of Administrative Services, was a participant on Nevada League of Cities' Legislative Committee. He introduced DAVID FRASER, Director of the Nevada League of Cities, who used a PowerPoint presentation, which is made a part of the final minutes, to give an overview of the list of proposed legislation that was developed.

MAYOR GOODMAN questioned how the Legislative Compact fits in with this presentation. MR. FRASER indicated that the Legislative Compact includes the guiding principals for issues submitted by others that the League might advocate or oppose. They include the areas of financial stability, taxation, economic development and redevelopment, government operations, labor and management, public safety, and development and growth.

CITY COUNCIL MEETING OF AUGUST 18, 2004

Administrative Services

Item 60 - Report and possible action on the Nevada League of Cities and Municipalities
2005 Proposed Legislative Package and Legislative Compact

MINUTES – Continued:

MR. FRASER added that the Compact is to set out a joint statement by the League and will not be the last opportunity for the City to give its input. Bill tracking will be available online to see the League's position on the various bills.

MAYOR GOODMAN commented that the Legislature highly respects the League and carefully listens to its input. Therefore, the Mayor requested the League take a leading role in beginning discussions to consolidate the County and City, which he is very much interested in realizing. He opined that local governments are very ineffective and there is a lot of duplication of services among local governments, but the existing politicians are not going to come together in an attempt to rectify the situation. MR. FRASER expressed his support and noted that the League's core principal is that decisions are made best when the interests of the public are taken into consideration. Local governments are uniquely positioned because they have direct contact with the public. Good government, by definition, includes efficiency; therefore, he would be happy to cooperate in anyway that would promote efficient government.

(9:31 – 9:43)

1-863

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: ADMINISTRATIVE SERVICES

DIRECTOR: CHRISTOPHER KNIGHT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE ITEM - Report and possible action on the legislative package that will be submitted to the Legislative Counsel Bureau on behalf of the City

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Pursuant to Nevada Revised Statutes, the city council of a city whose population is 100,000 or more shall be allowed to request the preparation of no more than four legislative measures.

RECOMMENDATION:

It is recommended that the City Council approve the proposed legislative package and direct the City Manager to submit the Bill Draft Requests to the Legislative Counsel Bureau.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted at meeting: copy of Memorandum dated 8/17/2004 from Carole Vilardo, President, Nevada Taxpayers Association regarding Binding Arbitration Bill Draft Request

MOTION:

REESE – APPROVED submittal of the proposed legislative package, including all comments made during discussion of this matter – **UNANIMOUS**

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor
TED OLIVAS, Director, Government and Community Affairs
CHRISTINA DOUGAN, Director, Las Vegas Chamber of Commerce
LAWRENCE WEEKLY, Councilman
TOMMY RICKETTS, President, City Employees Association
MICHAEL MACK, Councilman
LARRY BROWN, Councilman

CITY COUNCIL MEETING OF AUGUST 18, 2004

Administrative Services

Item 61 – Report and possible action on the legislative package that will be submitted to the Legislative Counsel Bureau on behalf of the City

APPEARANCES - Continued:

BETSY FRETWELL, Deputy City Manager

CHRIS KNIGHT, Director, Administrative Services

ROY NELSON, Leisure Services

NOTE: COUNCILMAN WEEKLY requested that TIMOTHY McANDREW, Fire and Rescue, be involved in homeland security meetings.

NOTE: COUNCILMAN MACK stressed that he would like any organized labor discussions be made public.

NOTE: COUNCILMAN BROWN adamantly stated that any final language to the Legislature must be indicative of a collaborative effort from labor representatives and not a mandate from the City of what should be, or it will become a confrontational issue.

(9:43 – 10:02)

1-1285

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding the adoption of a City of Las Vegas Business Retention Program, aka "The New Business Opportunities Program" for the attraction and retention of diverse businesses in addition to gaming - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

In 2004, the Office of Business Development will implement a business retention program to attract and retain diverse businesses. The goals of the program are to encourage local businesses to remain in the community, create new jobs by helping them grow and expand, and to improve dialogue between local government leaders and the business community. The program will give the City the opportunity to address the needs and aspirations of local businesses and identify key issues such as services, regulations, infrastructure and restrictions that may impair their growth.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. City of Las Vegas New Business Opportunities Program
3. Submitted at meeting: hardcopy of PowerPoint

MOTION:

REESE – APPROVED as recommended – UNANIMOUS

MINUTES:

Using a PowerPoint presentation, SCOTT ADAMS, Director, Office of Business Development, walked the Council through an overview of this proposed program, which he and his staff would like to adopt. This program came about before he started working with the Agency, and he made very minor changes to it. He recommended the Council endorse, adopt, and move forward with the program.

MAYOR GOODMAN was very pleased with the presentation, stating that it is the first comprehensive program that has come out of Business Development during his tenure with the City. It is a very good start for MR. ADAMS.

CITY COUNCIL MEETING OF AUGUST 18, 2004

Business Development

Item 62 – Discussion and possible action regarding the adoption of a City of Las Vegas Business Retention Program, aka “The New Business Opportunities Program” for the attraction and retention of diverse businesses in addition to gaming – All Wards

MINUTES – Continued:

COUNCILMAN WEEKLY noted that, with the recent visit from GOVERNOR ARNOLD SCHWARZENEGGER to try to attract businesses back to California, he hopes real incentives will be provided, as well as assistance to those businesses that run into obstacles. He then asked MR. ADAMS if he put together a list of businesses to work with. MR. ADAMS answered that his staff is looking at a number of databases to use as sources to get to those clusters. The important thing to remember is that, with over 4,000 businesses, his few staff members have to be strategic and focus on those businesses most important to the Council and those that have the greatest opportunity for growth. This does not mean that his staff will not continue to try to attract new businesses, but they will focus more on existing businesses. Through outreach, his staff will be able to identify the issues affecting certain businesses, and then they can create new public policy regarding incentives and ways to handle the problems facing the business community.

MAYOR GOODMAN liked the idea of perhaps not going by the book in order to get things done and that staff is not reinventing the wheel but is using the State’s database to the City’s advantage.

(10:02 – 10:20)

1-2049

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Barbara Venee Snyder, 1799 N. Decatur Boulevard #151, Las Vegas, Nevada 89108

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

[BACKUP DOCUMENTATION:](#)

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – APPROVED a site specific work card subject to a one-year (8/17/2005) review – UNANIMOUS

MINUTES:

The applicant was present, accompanied by her attorney, JOSEPH SCISCENTO.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), indicated that he made contact with MS. SNYDER'S employer. Metro did not oppose issuing a work card because the job MS. SNYDER was seeking is not related to the issues she had.

(10:20 – 10:21)

1-2901

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: John Terence Sylvain, 133 Sam Jonas Drive, Las Vegas, Nevada 89145

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – APPROVED a site-specific work card, subject to a six-month (2/16/2005) review and allowing DETECTIVE RODD to enter the premises and ascertain that there is not going to be a problem – UNANIMOUS

NOTE: CITY ATTORNEY JERBIC disclosed that the appellant is the nephew of ATTORNEY BOB SYLVAIN, who is an attorney in his office and under his supervision. ATTORNEY SYLVAIN has not discussed this matter with him nor shared any information with him. It was also brought to his attention that another relative of ATTORNEY SYLVAIN authored a letter in support of this matter, but CITY ATTORNEY JERBIC has not conversed with that person, and he has not briefed the Councilmembers on this matter. However, because of CITY ATTORNEY JERBIC'S supervisory relationship with ATTORNEY SYLVAIN, he recused himself and turned the matter over to SR. LITIGATION COUNSEL BILL HENRY, who has not briefed any member of the Council on this matter and has no connection with this appeal. MAYOR GOODMAN opined that SR. LITIGATION COUNSEL HENRY did not have a conflict and felt comfortable with him counseling the Council on this matter.

MINUTES:

The appellant was present.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), referred to the confidential report and indicated that Metro is very concerned about issuing MR. SYLVAIN a work card because the position he is seeking would allow him access to this property where seniors reside. MR. SYLVAIN interjected that the complex consists of adult studio apartments.

CITY COUNCIL MEETING OF AUGUST 18, 2004

City Attorney

Item 64 – Appeal of Work Card Denial: John Terence Sylvain

MINUTES – Continued:

MR. SYLVAIN answered for MAYOR GOODMAN that until the business license is approved, he is doing maintenance for his brother at this site. He does not reside on the property and only responds to maintenance calls and collects the rents. He worked all his life in gaming and as a dealer until his work card was revoked. Most recently, before this position came along, he worked as a concrete finisher. He is trying to work for his brother permanently to help him out because the previous manager was stealing. He assured the Mayor that he is ready to move forward and leave his miserable past behind him.

COUNCILMAN WOLFSON felt conflicted because he wants people to work despite their past, but, at the same time, he wants to protect the citizens. He asked MR. SYLVAIN if this is a job where he would work 8:00 a.m. to 5:00 p.m. MR. SYLVAIN answered that he would be on call to fix maintenance problems and would leave as soon as the problems were fixed. He would not be allowed to access the apartment without giving 24-hour notice, and he could not just enter an apartment.

Regarding his problems involving alcohol, MR. SYLVAIN assured COUNCILMAN WOLFSON that he no longer drinks, and he recently passed a drug test for the concrete job. As far as his most recent incident involving domestic violence, MR. SYLVAIN indicated that he had been drinking, but he now understands his responsibilities and wants to take positive steps to make a better life. He noted that his brother and MIKE MONROE are owners of this complex, and his brother comes to the premises about twice a month, but he speaks to his brother at least three times a week concerning the property.

MAYOR GOODMAN was still concerned about Metro's concerns. He recommended adding a condition requiring the applicant to notify DETECTIVE RODD if any tenant meeting a certain demographic category, as indicated in the confidential report, were to change. DETECTIVE RODD then requested he be authorized to ascertain if any current tenants meet the demographic being discussed. MR. SYLVAIN rejoined that the complex consists of 21 single units, with two houses on the premises, and that one of the houses has one or two of those within the particular demographics described. MAYOR GOODMAN asked MR. SYLVAIN to work closely with DETECTIVE RODD.

COUNCILMAN REESE made a motion approving a site-specific work card, subject to a six-month review. MAYOR GOODMAN included allowing DETECTIVE RODD to enter the premises and ascertain that there is not going to be a problem. MR. SYLVAIN concurred with these requirements.

(10:21 – 10:33)

1-2980

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Tara Denise Kandemir, 207 East Hazel Street, Inglewood, California 90302

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

[BACKUP DOCUMENTATION:](#)

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Items 58 and 65 – UNANIMOUS with BROWN not voting

MINUTES:

There was no discussion.

(9:27 – 9:28)

1-731

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Russell Uehara and Deborah Uehara, 100% jointly as husband and wife, To: Meen Soung Kim, dba Nozomi Restaurant & Sushi Bar, 2202 West Charleston Boulevard, Suite 11, Meen S. Kim, 100% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Meen S. Kim

MOTION:

WEEKLY – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met the requirements for consideration of a temporary approval. He suggested approval as recommended.

(10:33 – 10:34)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Richard A. Billbe, dba White Tiger Red Dragon Kenpo Karate, 4531 West Sahara Avenue, Richard A. Billbe, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Richard Billbe
3. Map

MOTION:

MONCRIEF – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS

MINUTES:

The applicant was not present.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met the requirements for consideration of a temporary approval. He suggested approval as recommended.

(10:34 – 10:35)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a new Beer/Wine/Cooler Off-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Terrible Herbst, Inc., dba Terrible's #231, 330 North Rancho Drive, Jerry E. Herbst, Dir, Pres, 100%, Maryanna A. Herbst, Secy, Treas, Edward J. Herbst, VP, Timothy P. Herbst, VP, Troy D. Herbst, VP, Michael J. Roop, VP (NOTE: Item to be heard in the afternoon session in conjunction with Item #111 - SUP-4576) - Ward 3 (Reese) (NOTE: The correct ward is Ward 5 [Weekly].)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Map

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS

MINUTES:

JEANNIE DANIEL, Compliance Office, Terrible Herbst Oil Company, appeared on behalf of the applicant.

JIM DiFiore, Manager, Business License Department, indicated during the morning session that the correct ward for Items 68 and 69 is Ward 5 (Weekly) and not Ward 3 (Reese).

NOTE: See Item 111 [SUP-4576] for all related discussion.

(10:35 – 10:36/2:46 – 2:48)

4-431/2-78

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a Slot Operator Space Lease Location Restricted Gaming License for 7 slots subject to the provisions of the planning and fire codes and Health Dept. regulations, E-T-T, Inc., db at Terrible's #231, 330 North Rancho Drive (**NOTE: Item to be heard in the afternoon session in conjunction with Item #111 - SUP-4576**) - Ward 3 (Reese) (NOTE: The correct ward is Ward 5 [Weekly].)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Slot Operator Space Lease Location Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Map

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS

MINUTES:

JEANNIE DANIEL, Compliance Office, Terrible Herbst Oil Company, appeared on behalf of the applicant.

JIM DiFiore, Manager, Business License Department, indicated during the morning session that the correct ward for Items 68 and 69 is Ward 5 (Weekly) and not Ward 3 (Reese).

NOTE: See Item 111 [SUP-4576] for all related discussion.

(10:35 – 10:36/2:46 – 2:48)

4-431/2-78

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding Change of Ownership and Business Name for a Package License subject to the provisions of the fire codes and Health Dept. regulations, From: H & H Discount Liquor dba H & H Discount Liquor, Falah E. Hamika, Ptnr, 50%, Maher Alsafar, Ptnr, 50%, To: S & S, Inc., dba H & H Discount Liquors, 1916 North Decatur Boulevard, Najah A. Sitto, Dir, Pres, Treas, 50%, Nabil H. Somo, Dir, Secy, 50% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Change of Ownership and Business Name for a Package License

RECOMMENDATION:

Recommendation to be provided after discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

None

MOTION:

WEEKLY – ACCEPTED WITHDRAWAL WITHOUT PREJUDICE – UNANIMOUS

MINUTES:

The applicant was not present.

JIM DiFIORE, Manager, Business Services, indicated the applicant requested withdrawal without prejudice because the deal fell through.

(10:36 – 10:37)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding an Appeal of Denial for a Child Care Facility License, Sheila Logan, dba Love All Kidz Daycare, 6309 Guadalupe Avenue, Sheila Logan 100% - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Sheila Logan, an applicant for a Family Child Care Home license, appeared before the Child Care Licensing Board on June 9, 2004. She had received an unfavorable police report in her background investigation due to areas of concern on both herself and her husband, Larry Logan. Ms. Logan's application was denied by the Child Care Licensing Board. She is now appealing that decision.

RECOMMENDATION:

Uphold the denial of the Child Care Licensing Board.

BACKUP DOCUMENTATION:

1. Findings of Fact, Conclusions of Law and Decision in the matter of Sheila Logan
2. Verbatim Transcript of the Child Care Licensing Board (CCLB) Meeting of June 9, 2004
3. Notice of Denial of Application for Child Care Facility License and Notice of Right of Appeal
4. Notice of Appeal for Sheila Logan submitted by Goodman Brown Premsrut, Attorneys at Law
5. Department's Response to Sheila Logan's Appeal of the City CCLB's Denial of Her Application for a Child Care Facility License

MOTION:

REESE – ABEYANCE to 10/6/2004 – UNANIMOUS with GOODMAN abstaining because Attorney Puonyarat Premsrut is one of the law partners of his son, Eric Goodman

NOTE: A previous motion by Reese for reconsideration rescinded the initial motion by Mack for abeyance to 9/15/2004. Both motions carried unanimously with Goodman abstaining because Attorney Puonyarat Premsrut is one of the law partners of his son, ERIC GOODMAN.

CITY COUNCIL MEETING OF AUGUST 18, 2004

Finance and Business Services

Item 71 – Discussion and possible action regarding an Appeal of Denial for a Child Care Facility License, Sheila Logan, dba Love All Kidz Daycare, 6309 Guadalupe Avenue, Sheila Logan 100% - Ward 6 (Mack)

MOTION – Continued:

NOTE: MAYOR GOODMAN asked CITY ATTORNEY JERBIC if he should abstain, given that ATTORNEY PREMSRIRUT is a law partner of his son, ERIC GOODMAN. CITY ATTORNEY JERBIC advised that, under the Woodbury Decision, the proximity of his son's relationship to this case must be taken into consideration. He was informed earlier that MR. GOODMAN would not be representing this case; however, due to the small size of the law firm, it would be almost impossible to separate his economic interest in this from any other members of the firm. CITY ATTORNEY JERBIC recommended both disclosure and abstention. To be candid, ATTORNEY PREMSRIRUT indicated that MR. GOODMAN has personal knowledge of the facts in this case and has participated in the representation. MAYOR GOODMAN then decided to abstain.

NOTE: COUNCILMAN MACK disclosed that the law firm of Goodman, Brown, and Premsrirut represented him in the past, but there is no current business pending. Therefore, he did not believe there would be any conflict in him voting. CITY ATTORNEY JERBIC opined that under the two-part test, objectively, COUNCILMAN MACK did not have a conflict because he does not have a current business relationship with the law firm. CITY ATTORNEY JERBIC asked COUNCILMAN MACK if he could remain objective in spite of his past relationship with the law firm. COUNCILMAN MACK answered that he could remain objective in this matter.

MINUTES:

The applicant was present, accompanied by her attorney, PUONYARAT PREMSRIRUT.

JIM DiFIORE, Manager, Business Services, indicated that he conversed with ATTORNEY PREMSRIRUT before this meeting. Even though he is ready to proceed on this matter, ATTORNEY PREMSRIRUT has a request. ATTORNEY PREMSRIRUT requested a 30-to-60-day continuance because, although her services were retained for the appeal, she was out of town until 8/11/2004. Therefore, she needs additional time to delve into the serious allegations in the transcript, which she received 8/3/2004.

MR. DiFIORE requested a 30-day continuance. ATTORNEY PREMSRIRUT agreed with this request.

Subsequent to the vote, COUNCILMAN MACK asked MR. DiFIORE if there was any testimony that should be put on the record. MR. DiFIORE answered that he was notified that DEPUTY DISTRICT ATTORNEY DOUG HERNDAN, who testified at the City Child Care Licensing Board meeting, would not be available for the 9/15/2004 Council meeting. But backup documentation includes MR. HERNDAN'S testimony.

CITY COUNCIL MEETING OF AUGUST 18, 2004

Finance and Business Services

Item 71 – Discussion and possible action regarding an Appeal of Denial for a Child Care Facility License, Sheila Logan, dba Love All Kidz Daycare, 6309 Guadalupe Avenue, Sheila Logan 100% - Ward 6 (Mack)

MINUTES – Continued:

COUNCILMAN REESE then made the motion for reconsideration. MR. DiFIORE requested this matter be held to the 10/6/2004 Council meeting, at which time MR. HERNDAN will be available. COUNCILMAN REESE made the motion for abeyance to 10/6/2004.

(10:37 – 10:42)

2-119

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEUMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS:

ABEYANCE ITEM - AUDIT OVERSIGHT COMMITTEE – Michael W. Kern, Term
Expiration 8-16-2004

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City of Las Vegas Audit Oversight Committee was created by City Council Resolutions R-49-98 and R-117-98 for the purpose of overseeing various aspects of the City's internal audit function. Two members must be specifically identified members of the City Council and three members must be from the community-at-large. Mr. Kern fills a community-at-large seat and he is not eligible for reappointment, as he has served two terms. There is no city residency requirement. At the Council Meeting of August 4, 2004, this item was abeyed to August 18, 2004.

RECOMMENDATION:

Procedure for this Committee requires appointment by the Mayor, subject to ratification by the City Council. It will be necessary to appoint a community-at-large member to fill Mr. Kern's seat.

BACKUP DOCUMENTATION:

City of Las Vegas Audit Oversight Committee Listing and Authority

MOTION:

GOODMAN – Motion to REAPPOINT MICHAEL W. KERN – UNANIMOUS

NOTE: MAYOR GOODMAN and COUNCILMEMBERS MACK, WEEKLY, and MONCRIEF disclosed that MR. KERN and his wife serve as treasurers for their election campaigns. They did not believe it would affect their vote. CITY ATTORNEY JERBIC noted that none of the members of the Audit Committee are compensated for their service.

Clerk to notify

MINUTES:

MAYOR GOODMAN stated that there has been an amendment made to the bylaws which makes MR. KERN eligible for reappointment.

(10:33 – 10:34)

2-294

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEUMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

AUDIT OVERSIGHT COMMITTEE – Paul Workman, Term Expiration 9-4-2004; Jose Troncoso, Term Expiration 9-18-2004

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City of Las Vegas Audit Oversight Committee was created by City Council Resolutions R-49-98 and R-117-98 for the purpose of overseeing various aspects of the City's internal audit function. Two members must be specifically identified members of the City Council and three members must be from the community-at-large. Mr. Workman and Mr. Troncoso both fill community-at-large seats and both are eligible for reappointment. There is no city residency requirement.

RECOMMENDATION:

Procedure for this Committee requires appointment by the Mayor, subject to ratification by the City Council. Options are:

Reappoint Mr. Workman or appoint a new community-at-large member, and,

Reappoint Mr. Troncoso or appoint a new community-at-large member.

BACKUP DOCUMENTATION:

City of Las Vegas Audit Oversight Committee Listing and Authority

MOTION:

GOODMAN – Motion to REAPPOINT PAUL WORKMAN and JOSE TRONCOSO – UNANIMOUS

MINUTES:

MAYOR GOODMAN noted that both these gentlemen are eligible for appointment under the bylaw changes.

COUNCILMAN BROWN commented that these gentlemen bring a great deal of professional knowledge and historical perspective to the Committee. It was very important that they and MR. KERN be able to continue to serve.

(10:44 – 10:45)

2-334

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

Discussion and possible action to appoint an alternate member of Council to serve on the Real Estate Committee

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This board consists of two members of the City Council. In addition, two members are appointed to serve as alternates. As Real Estate Committee meetings were changed from the Monday before a Council meeting to the Tuesday before a Council meeting, Councilman Reese can no longer serve as an alternate member. Terms are two years and the remainder of Councilman Reese's term will expire in June, 2005. As part of Mayor Goodman's Council appointments to various City of Las Vegas and other jurisdictional Boards, Commissions and Authorities, he is to appoint a member of Council to serve as an alternate member on this board with Council concurrence.

RECOMMENDATION:

Mayor Goodman to appoint a member of Council as an alternate member to serve on the Real Estate Committee with Council concurrence.

BACKUP DOCUMENTATION:

Current Listing and Authority of the Board

MOTION:

GOODMAN – Motion to APPOINT COUNCILMAN MACK – UNANIMOUS

MINUTES:

There was no discussion.

(10:45 – 10:46)

2-382

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-51 – Annexation No. ANX-4437 – Property location: On the north side of Farm Road, 330 feet west of Grand Canyon Drive; Petitioned by: Lermusiaux Family Trust; Acreage: 5.14 acres; Zoned: R-E (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of Farm Road, 330 feet west of Grand Canyon Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 27, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 8/18/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-51 and Location Map

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5717 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(10:46 – 10:47)

2-416

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-56 - Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$555,270.66

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, "L" type curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

RECOMMENDATION:

ADOPTION at 8/18/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-56

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5718 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(10:47)

2-435

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-58 – Repeals Ordinance No. 5630, pertaining to the creation of Special Improvement District No. 1502 – Grand Montecito Parkway (Centennial Parkway to Elkhorn Road). Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Because of a number of issues regarding the creation and implementation of this Special Improvement District, it has been proposed that alternative means of constructing the improvements be pursued. Therefore, the SID will need to be abandoned and the creation ordinance repealed.

RECOMMENDATION:

ADOPTION at 8/18/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-58

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5719 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

CITY ATTORNEY JERBIC commented that at the last meeting the Council approved a line item to pay the interim warrants for Special Improvement District 1502, which was a prerequisite to dissolving the district.

(10:47 – 10:48)

2-454

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-52 – Revises the licensing and zoning standards applicable to hotel lounge bars.
Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will revise the licensing and zoning standards applicable to hotel lounge bars, allowing greater flexibility by increasing the number of locations within a hotel in which alcoholic beverages from the bar may be served.

RECOMMENDATION:

ADOPTION at 9/1/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/21/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/1/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-53 – Updates the Town Center Development Standards Manual regarding the means of allowing certain finance-related uses. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will update the Town Center Development Standards Manual to 1) allow financial institutions with drive-through facilities as a conditional use in the Urban Center Mixed Use (Town Center) District, and 2) allow auto title loan uses and other similar financial institutions by means of special use permit in the General Commercial and Service Commercial (Town Center) Districts.

RECOMMENDATION:

ADOPTION at 9/1/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/21/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/1/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-54 – Allows private horse corrals or stables in the R-D Zoning District under certain circumstances. Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Private horse corrals and stables are currently permitted as conditional uses in the U, R-A and R-E Zoning Districts. This bill will allow the use as a conditional use in the R-D Zoning District as well, but with additional standards and limitations designed to ensure compatibility.

RECOMMENDATION:

ADOPTION at 9/1/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/21/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/1/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-55 – Revises the Municipal Code provisions that govern City employees in seeking and holding political office. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the Municipal Code provisions regarding political activity by City employees. The amendment reflects the policy recently adopted by the Council that addresses the conditions under which employees may run for and hold political office.

RECOMMENDATION:

ADOPTION at 9/1/2004 City Council meeting as a First Amendment pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/21/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/1/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-57 - Levies Assessment for Special Improvement District No. 1499 – Alexander Road (US-95 - Rancho Drive). Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$78,002.48

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Construction and installation of pavement, "L" type curb and gutter, sidewalk, water laterals, and streetlights.

RECOMMENDATION:

ADOPTION at 9/1/2004 City Council meeting pursuant to the 8/17/2004 Recommending Committee.

First Reading – 8/4/2004; First Publication – 8/21/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/1/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2004-59 – Annexation No. ANX-4440 – Property location: On the north side of Regena Avenue, 170 feet east of Riley Street; Petitioned by: Mona Agamez; Acreage: 0.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north side of Regena Avenue, 170 feet east of Riley Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 24, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-59 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS MONCRIEF and WOLFSON

8/31/2004 Recommending Committee

9/1/2004 Council Agenda

(10:48 – 10:49)

2-488

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-60 – Ordinance Creating Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$72,000.00

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

The installation of streetlights. The project is located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-60

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS MONCRIEF and WOLFSON

8/31/2004 Recommending Committee

9/1/2004 Council Agenda

(10:48 – 10:49)

2-488

THE MORNING SESSION RECESSED AT 10:49 A.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4493], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615] Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

COUNCILMAN MACK welcomed LYRA SALDI, a 6th grade student from Our Lady of Las Vegas, who was attending the afternoon City Council session.

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

COUNCILMAN MACK disclosed that on Item 112 [SUP-4592], a client of Mack Consulting is within the notification radius of this request. His client, Treasures, has not discussed this request with him nor will it affect their operation; therefore, he will be voting on the item.

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant, and, therefore, he will be voting on the items.

(1:04 – 1:10)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Hearing to consider the appeal filed by Custom Communications Network regarding the removal of the outdoor pay telephone at 1710 East Charleston Boulevard. PROPERTY OWNER:
CUSTOM COMMUNICATIONS NETWORK - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Pursuant to Las Vegas Municipal Code 6.58.040 (G) the outdoor pay telephone was determined to be a nuisance due to the reported criminal activity that is associated with the location of this outdoor pay telephone. A letter from the Department of Finance and Business Services was mailed to the licensee on May 25, 2004 requesting removal of the phone.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Hearing Notification Letter
4. Letter from Business Services dated 6-28-2004
5. Letter of Appeal from Steve Mednicoff
6. Formal Notification Letter from Business Services dated 5-25-2004

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(1:04 – 1:10)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 221 W. Van Buren Avenue. PROPERTY OWNER: JOANNA SMITH - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$2,475.50☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired ADS Consulting to board the structure remove all trash and debris and post "No Trespassing" signs.

RECOMMENDATION:

1. That the City Council approve the report of expenses in the amount of \$2,475.50 in order that the above charges be filed and recorded against the property constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Notice of Public Hearing
3. Location Map
4. Report of Expenses
5. Contractor Disclosure
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Submitted after final agenda - Protests and objections letter from Jan Lindsey with attachments
9. Video shown but not submitted

MOTION:**WEEKLY – ABEYANCE to 9/1/2004 – UNANIMOUS**

CITY COUNCIL MEETING OF AUGUST 18, 2004
Neighborhood Services Department
Item 87 – 221 W. Van Buren Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

DAVID SEMENZA, Manager Neighborhood Response, Neighborhood Services

JAN LINDSEY, 1627 Clarksville Court, Henderson, Nevada

LAWRENCE WEEKLY, Councilman

DAN STILL, Deputy City Attorney

CHARLENE ROGERS, 2511 Natalie Avenue

LARRY BROWN, Councilman

MAYOR GOODMAN declared the Public Hearing closed.

(1:10 – 1:23)

3-199

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 105 N Yale Street. PROPERTY OWNER: RONALD J. BATES - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount: \$2,474.35**☒**Budget Funds Available****Dept./Division: Neigh. Svcs./Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K O Construction to board the structure remove all trash and debris and post "No Trespassing" signs.

RECOMMENDATION:

1. That the City Council approve the report of expenses in the amount of \$2,474.35 in order that the above charges be filed and recorded against the property constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Notice of Public Hearing
3. Location Map
4. Report of Expenses
5. Contractor Disclosure
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:

MONCRIEF – APPROVED the action of Neighborhood Services – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Neighborhood Services Department
Item 88 – 105 North Yale Street

MINUTES – Continued:

DAVID SEMENZA, Neighborhood Response Manager, Department of Neighborhood Services, presented a video of the subject property and stated that the condition of the property was a public hazard and an attractive nuisance. The vacant building was open and accessible. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, K.O. Construction was hired to abate the problem. They cleaned and secured the property, removed all trash and debris, and posted No Trespassing” signs on the property. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$2,474.35 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer’s Office.

MAYOR GOODMAN verified with MR. SEMENZA that even though the expense amount is similar to the last item, the contractors are different.

The property owner was not present.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(1:23 – 1:25)

3-617

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 224 W Philadelphia Avenue. PROPERTY OWNER: MARY H. McKINNEY LIVING TRUST 1989 - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** \$3,437.50☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K O Construction to board the structures and post "No Trespassing" signs.

RECOMMENDATION:

1. That the City Council approve the report of expenses in the amount of \$3,437.50 in order that the above charges be filed and recorded against the property constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Notice of Public Hearing
3. Location Map
4. Report of Expenses
5. Contractor Disclosure
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

CITY COUNCIL MEETING OF AUGUST 18, 2004
Neighborhood Services Department
Item 89 – 224 W. Philadelphia Avenue

MINUTES:

There was no discussion.

(1:04 – 1:10)

3-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 208 N 20th Street. PROPERTY OWNER: JULIO TOBAR - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$1,859.10**☒**Budget Funds Available****Dept./Division: Neigh. Svcs./Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired ADS Consulting to board the structure remove all trash and debris and post "No Trespassing" signs.

RECOMMENDATION:

1. That the City Council approve the report of expenses in the amount of \$1,859.10 in order that the above charges be filed and recorded against the property constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Notice of Public Hearing
3. Location Map
4. Report of Expenses
5. Contractor Disclosure
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Submitted after final agenda - Protest letter from Matthew Robinson, current owner
9. Video shown but not submitted

MOTION:

REESE – APPROVED the action of Neighborhood Services – UNANIMOUS

CITY COUNCIL MEETING OF AUGUST 18, 2004
Neighborhood Services Department
Item 90 – 208 North 20th Street

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID SEMENZA, Neighborhood Response Manager, Department of Neighborhood Services, presented a video of the subject property and stated that the condition of the property was a public hazard and an attractive nuisance. The vacant building was open and accessible. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, ADS Consulting was hired to abate the problem. They cleaned and secured the property, removed all trash and debris, and posted “No Trespassing” signs on the property. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$1,859.10 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer’s Office.

The property owner was not present.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(1:25 – 1:26)

3-677

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

- EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW
- 91 **EOT-4778** - Applicant: Cantwell Anderson, Inc. – Owner: Cloudbreak Las Vegas, Limited Liability Company
- EXTENSION OF TIME - VARIANCE RELATED TO EOT-4778
- 92 **EOT-4779** - Applicant: Cantwell Anderson, Inc. – Owner: Cloudbreak Las Vegas, Limited Liability Company

DISCUSSION/ACTION ITEMS

- APPEAL OF DIRECTOR'S DECISION
- 93 **ABEYANCE ITEM - DIR-4797** - Applicant: Orion Outdoor Media – Owner: Lapour Grand Central, Limited Liability Company
- REVIEW OF CONDITION - PUBLIC HEARING
- 94 **ABEYANCE ITEM - ROC-4709** - Applicant: Fletcher Jones Mercedes – Owner: Roman Catholic Bishop of Las Vegas
- 95 **ROC-4825** - Applicant/Owner: Royal Seal Investments, Inc.
- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
- 96 **SDR-4182** - Applicant: Tesa Partners I – Owner: Rancho Pines II, Limited Partnership
- 97 **SDR-4630** - Applicant: State of Nevada Public Works Board – Owner: State of Nevada Buildings and Grounds
- 98 **SDR-4639** - Applicant: Triple Five Development – Owner: Village Square, Limited Liability Company
- 99 **SDR-4820** - Applicant: Planet Nissan – Owner: Northwest Autoworld Ltd.
- MASTER SIGN PLAN - PUBLIC HEARING
- 100 **ABEYANCE ITEM - MSP-4380** - Applicant: Vision Sign, Inc. – Owner: D 2801 Westwood, Inc.
- MAJOR MODIFICATION - PUBLIC HEARING
- 101 **MOD-4484** - Applicant/Owner: Ritter Charitable Trust
- 102 **MOD-4615** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of August 18, 2004

REZONING RELATED TO MOD-4615 - PUBLIC HEARING

- 103 ZON-4616** - Applicant: Cooper Customer Homes – Owner: MB Holdings, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING

- 104 SDR-4617** - Applicant: Cooper Customer Homes – Owner: MB Holdings, Limited Liability Company

MAJOR MODIFICATION - PUBLIC HEARING

- 105 MOD-4633** - Applicant: KB Home – Owner: National Group #1, Limited Liability Corporation, Et Al

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4633 - PUBLIC HEARING

- 106 SDR-4636** - Applicant: KB Home – Owner: National Group #1, Limited Liability Corporation, Et Al

STREET NAME CHANGE - PUBLIC HEARING

- 107 SNC-4254** - Applicant: Clay Stringham – Owner: Babb Investment Company

VACATION - PUBLIC HEARING

- 108 VAC-4628** - Applicant/Owner: Habitat For Humanity, Las Vegas

REQUIRED TWO YEAR REVIEW - VARIANCE - PUBLIC HEARING

- 109 RQR-4605** - Applicant: JSA, Inc. - Owner: Craig Marketplace, Limited Liability Company

SPECIAL USE PERMIT - PUBLIC HEARING

- 110 SUP-4521** - Applicant: Clear Channel Outdoor – owner: Bright Path, Limited Liability Company
- 111 SUP-4576** - Applicant: Terrible Herbst Oil Company – Owner Rancho Circle Shopping Center, Limited Liability Company
- 112 SUP-4592** - Applicant: Mountain View Estates – Owner: John Herda
- 113 SUP-4593** - Applicant: Mountain View Estates – Owner: S & K Family Trust
- 114 SUP-4594** - Applicant: Mountain View Estates - Owner: Saitta Family Trust

REZONING - PUBLIC HEARING

- 115 ABEYANCE ITEM - ZON-4200** - Applicant: Sterling S Development – Owner: Quarterhorse Falls Estates, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of August 18, 2004

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING

- 116 ABEYANCE ITEM - SDR-4198** - Applicant: Sterling S Development – Owner: Quarterhorse Falls Estates, Limited Liability Company

REZONING - PUBLIC HEARING

- 117ZON-4368** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l

VACATION RELATED TO ZON-4368 - PUBLIC HEARING

- 118VAC-4420** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING

- 119SDR-4370** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l

REZONING - PUBLIC HEARING

- 120ZON-4452** - Applicant: Garrett, Limited Liability Company – Owner: Kevin Golshan

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4452 - PUBLIC HEARING

- 121SDR-4455** - Applicant Garrett, Limited Liability Company, Owner: Kevin Golshan

REZONING - PUBLIC HEARING

- 122 ZON-4459** - Applicant: Ruth L Boyd and Dean Katris – Owner: Boyd Family Partnership, Limited Partnership

VARIANCE RELATED TO ZON-4459 - PUBLIC HEARING

- 123 VAR-4462** - Applicant: Ruth L Boyd and Dean Katris – Owner: Boyd Family Partnership, Limited Partnership

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4459 AND VAR-4462 - PUBLIC HEARING

- 124 SDR-4461** - Applicant: Ruth L Boyd and Dean Katris – Owner: Boyd Family Partnership, Limited Partnership

REZONING - PUBLIC HEARING

- 125 ZON-4483** - Applicant: Cliffs Edge, Limited Liability Company – Owner: Southwest Desert Equities
- 126 ZON-4695** - Applicant: Pageantry Communities – Owner: Ernest and Kathleen Becker

City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

INDEX

City Council Meeting of August 18, 2004

SPECIAL USE PERMIT RELATED TO ZON-4695 - PUBLIC HEARING

127SUP-4614 - Applicant: Pageantry Communities – Owner: Ernest and Kathleen Becker

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4695 AND SUP-4614

128SDR-4613 - Applicant: Pageantry Communities – Owner: Ernest and Kathleen Becker

GENERAL PLAN AMENDMENT - PUBLIC HEARING

129 GPA 3933 - City of Las Vegas

130GPA-4091 - Applicant/Owner: Unified Credit Trust

REZONING RELATED TO GPA 4091 - PUBLIC HEARING

131 ZON-4093 - Applicant/Owner: Unified Credit Trust

VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING

132VAR-4094 - Applicant/Owner: Unified Credit Trust

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093 AND
VAR-4094 - PUBLIC HEARING

133SDR-4095 - Applicant/Owner: Unified Credit Trust

GENERAL PLAN AMENDMENT - PUBLIC HEARING

134 ABEYANCE ITEM - GPA-4564 - Applicant: Rider's Chevron – Owner: Garret Group, Limited Liability Company

VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING

135 ABEYANCE ITEM - VAR-4696 - Applicant: Rider's Chevron – Owner: Garret Group, Limited Liability Company

SPECIAL USE PERMIT RELATED TO GPA-4564 - PUBLIC HEARING

136 ABEYANCE ITEM - SUP-4565 - Applicant: Rider's Chevron – Owner: Garret Group, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND
SUP-4565 - PUBLIC HEARING

137 ABEYANCE ITEM - SDR-4563 - Applicant: Rider's Chevron – Owner: Garret Group, Limited Liability Company

GENERAL PLAN AMENDMENT - PUBLIC HEARING

138GPA-4587 - Applicant/Owner: City of Las Vegas

139 GPA-4607 - Applicant: Help Las Vegas Housing Corporation II and City of Las Vegas – Owner: City of Las Vegas

City of Las Vegas

PLANNING & DEVELOPMENT - Page Five

INDEX

City Council Meeting of August 18, 2004

REZONING RELATED TO GPA-4607 - PUBLIC HEARING

- 140 ZON-4608** - Applicant: Help Las Vegas Housing Corporation II and City of Las Vegas
– Owner: City of Las Vegas

GENERAL PLAN AMENDMENT - PUBLIC HEARING

- 141 GPA-4634** - Applicant: D.R. Horton, Inc. – Owner: Spring Mountain Ranch, Limited Liability Company

REZONING RELATED TO GPA-4634 - PUBLIC HEARING

- 142 ZON-4640** - Applicant: D.R. Horton, Inc. – Owner: Spring Mountain Ranch, Limited Liability Company

VARIANCE RELATED TO GPA-4634 AND ZON-4640 - PUBLIC HEARING

- 143 VAR-4642** - Applicant: D.R. Horton, Inc. – Owner: Spring Mountain Ranch, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4634, ZON-4640 AND VAR-4642 - PUBLIC HEARING

- 144 SDR-4641--** -- Applicant: D.R. Horton, Inc. – Owner: Spring Mountain Ranch, Limited Liability Company

GENERAL PLAN AMENDMENT - PUBLIC HEARING

- 145 GPA-4637** - Applicant/Owner SF Investments, Limited Liability Company

WAIVER RELATED TO GPA-4637 AND ZON-4644 - PUBLIC HEARING

- 146 WVR-4767** - Applicant/Owner SF Investments, Limited Liability Company

REZONING RELATED TO GPA-4637 AND WVR-4767 - PUBLIC HEARING

- 147 ZON-4644** - Applicant/Owner SF Investments, Limited Liability Company

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - EOT-4778 -
APPLICANT: CANTWELL ANDERSON, INC. - OWNER: CLOUDBREAK LAS
VEGAS, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an
approved Site Development Plan Review [Z-0076-83(2)] FOR A SINGLE ROOM
OCCUPANCY RESIDENCE on 1.58 acres at 525 East Bonanza Road (APN 139-27-805-003),
C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**REESE – APPROVED Item 91 [EOT-4778] and Item 92 [EOT-4779] subject to conditions
– UNANIMOUS**

MINUTES:

There was no discussion.

(1:26 – 1:27)
3-722

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on August 21, 2006 unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit U-0077-02, Variance V-0042-02, Site Development Plan Review Z-0076-83(2) and Extension of Time EOT-4779.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EXTENSION OF TIME - VARIANCE RELATED TO EOT-4778 - **EOT-4779 - APPLICANT: CANTWELL ANDERSON, INC. - OWNER: CLOUDBREAK LAS VEGAS, LIMITED LIABILITY COMPANY** - Request for an Extension of Time of an approved Variance (V-0042-02) WHICH ALLOWED 159 PARKING SPACES WHERE 306 PARKING SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road (APN 139-27-805-003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Item 91 [EOT-4778] and Item 92 [EOT-4779] subject to conditions – UNANIMOUS

MINUTES:

There was no discussion.

(1:26 – 1:27)

3-722

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on August 21, 2006 unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit U-0077-02, Variance V-0042-02, Site Development Plan Review Z-0076-83(2) and Extension of Time EOT-4778.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - APPEAL OF DIRECTOR'S DECISION - **DIR-4797** -
APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL,
LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to
deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard)
Sign at 211 West Charleston Boulevard (APN: 162-04-504-009) for failure to comply with Title
19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Abeyance request by Singer and Brown
5. Submitted after final agenda – Four property photographs submitted by Planning & Development

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - **ROC-4709** -
APPLICANT: FLETCHER JONES MERCEDES - **OWNER: ROMAN CATHOLIC**
BISHOP OF LAS VEGAS - Request for a Review of Condition No. 10 of an approved
Special Use Permit (U-0054-95) which required approval of the parking and driveway plans to
add language requiring a shared parking agreement to allow off-site parking for Fletcher Jones
Mercedes employees at 2323 South Tenaya Way (APN: 163-03-404-006), R-E (Residence
Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN abstaining as he leases a car
from Fletcher Jones and BROWN abstaining as he is a board member of Catholic
Charities of Southern Nevada

NOTE: It was directed that staff would issue the applicant a sixty-day Temporary Commercial
Permit (TCP) allowing continued use of the lot, during which time the applicant shall acquire
another location. It was further directed that once the use of the TCP expires, the use of the lot
terminates.

NOTE: MAYOR GOODMAN indicated that he received a telephone call from BISHOP PEPE,
Bishop of the Roman Catholic Church, indicating that the church is neutral on this issue and not
taking any position. He further disclosed that he leases a car from Fletcher Jones at a fair market
value and does not believe that should affect his ability to vote. However, DEPUTY CITY
ATTORNEY BRYAN SCOTT advised him that he should abstain, as there is a contractual
relationship between the Mayor and the applicant.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 94 – ROC-4709

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GUS HOPPEL, Fletcher Jones Mercedes, 7300 West Sahara Avenue, appeared on behalf of the applicant. He indicated that after meeting with the neighbors concessions were made regarding utilizing the parking facility located behind the dealership for employee parking from 7:00 a.m. to 6:30 p.m. He asked that the City Council allow the applicant to continue utilizing the parking for their employees.

MAYOR GOODMAN asked MR. HOPPEL to explain about the landscaping and access to the facility. MR. HOPPEL replied that access to the parking facility will be limited through Via Olivero only and restricted off of Tenaya Way. Security will be provided on the parking facility during business hours. There will be no loitering, and employees will not be allowed to park after 7:00 p.m. Arrangements have been made to vacate the parking lot on weekends for church use. The applicant proposes to landscape all the berms surrounding the parking spaces. They will provide 24 36-inch box trees to soften the parking lot from the neighborhood. In addition, if necessary, trees will be planted on the inside of the parking lot on the existing islands. The lighting will be shielded from the residents.

MARK FRENCH, President of the Rainbow Neighborhood Park Association, asked that the City Council deny the application because the C-2 (Commercial) zoning will impact the R-E (Residential Estate) zoning. This will set a precedent as other vacant properties exist in the vicinity. Other dealerships have leased off-site properties to park their new cars. When this particular dealership was granted the permit in 1999, they were to provide 460 spaces for employees and customers. However, they have never used the garage facility for that purpose, but rather park in the street. He recognized COUNCILWOMAN MONCRIEF'S efforts in obtaining the two-hour parking signs to alleviate this problem. At a meeting held on July 28th, most of the residents opposed the project.

RAY TUNTLAND, 2260 Villefort Court, owns property west of the parking lot, which he bought two years ago when Fletcher Jones was under construction. He was aware that the parking lot use was granted on a conditional basis for weekend parking. However, the parking lot is being used all the time. The temporary commercial permit has expired.

IRENE KLEIN, 2290 South Tenaya Way, resides across from the parking lot and stated that she is not comfortable having a security car in the parking lot. She observed cars being loaded and unloaded in the middle of the street, as well as in front of the church along Tenaya Way. In addition, she hears music playing from the radios as cars drive into the parking lot and the beeping of locking cars.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 94 – ROC-4709

MINUTES – Continued:

COUNCILWOMAN MONCRIEF thanked the applicant for limiting the parking hours, for the additional landscaping and trees on all four sides of the site. The unloading and loading of the cars on the street has diminished and should continue to diminish. However, she has concerns about this request. She received numerous calls about the dealership not being a good neighbor. Since the dealership moved from Rancho to this location, business has increased, and she is certain that it will keep on growing. The approximately 150 employees will affect the privacy of the adjacent residential neighborhood. If she lived to the north, east or west, she would not want this many employees parking in the area everyday. Upon researching other existing dealerships in the City and County, she found that they all have off-site parking. She recommended that the applicant obtain off-site parking. She followed staff recommendation for denial.

COUNCILMAN WEEKLY expressed concern about the impact on the residents if the employees park on the street again. He asked staff if there is an alternative for the applicant. ROBERT GENZER, Director, Planning and Development Department, clarified that a number of conditions were imposed when the dealership was first approved. The site plan that was part of the approval provided sufficient on-site parking for both the vehicles that were going to be displayed for sale, as well as for the employees. In fact, a condition was imposed that on Sundays, a portion of the sales lot was going to be utilized by members of the church for parking use. However, the opposite has occurred. The church obtained their approval through a Special Use Permit issued in 1995 for their overflow parking and, through an agreement, a 90-day Temporary Commercial Permit was given to the dealership to utilize this particular lot while they were in the process of seeking a permanent solution to this particular problem. That has not occurred.

MR. GENZER added that on the south side of Via Olivero the applicant could possibly build a one-story parking structure with ground parking and one level to provide for additional spaces. The other option would be to find an appropriate location for off-site parking. However, there are no parcels in this vicinity that they could use. The burden is put upon the applicant to find that other location.

COUNCILMAN MACK noted that the applicant has more cars stored on the lot than originally proposed. He suggested that the applicant obtain off-site storage and leave the parking for their employees. He also expressed concern about the impact on the residents if the employees were to park on the street.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 94 – ROC-4709

MINUTES – Continued:

MR. HOPPEL commented that the majority of complaints began when the employees were using the parking lot shortly after the facility was opened and then were required to leave the parking lot. Along Via Olivero and Tenaya Way, parking signs have been installed. However, employees could possibly park along those streets. MR. HOPPEL added that they cannot immediately eliminate part of the inventory to provide for employee parking. He understands the residents' concerns, and the unloading of vehicles on the street has been addressed. Notices have been given to employees regarding loitering in the parking lot. The business has grown with the needs of the City. He asked that they be allowed to utilize the parking lot until they can find a viable alternative.

COUNCILMAN MACK asked if signs have ever been placed stating that deliveries are not allowed on certain streets. MR. GENZER replied that he was not aware of that happening.

COUNCILWOMAN MONCRIEF commented that the business' expansion should not be at the burden of the neighborhood. She feels that the applicant could find off-site parking.

COUNCILMAN WOLFSON stated that the dealership chose to move its location to an area that already had an abundance of residences and other commercial uses. The applicant should bear the burden of the reality of the concerns of its neighbors.

If the motion for denial carried, COUNCILWOMAN MONCRIEF asked that a condition be imposed to grant the applicant 60 days to acquire a site so that the cars are not sitting in the street. MR. GENZER clarified that it would not be a condition. He verified with COUNCILWOMAN MONCRIEF that this would mean that if the item is denied the applicant would be allowed 60 additional days to utilize this lot while they are finding another location. That direction can be enforced. MR. GENZER clarified for CITY CLERK BARBARA JO RONEMUS that it would not be a condition. Staff would issue a Temporary Commercial Permit (TCP) for 60 days to allow the continued use of the lot, and when the TCP expires, the use of the lot terminates.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:27 – 1:55)

3-738

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-4825 - APPLICANT/OWNER: ROYAL SEAL INVESTMENTS, INC.** - Request for a Review of Condition Number 3 for an approved Site Development Plan Review [Z-0068-02(1)] that required 24-inch box trees 20 feet on center in the landscape planter along the north property line to allow no trees adjacent to the north side of the building and relocate them elsewhere on the site for an approved 8,000 square foot retail building located adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue (APN 138-11-804-024), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – DENIED – UNANIMOUS with MONCRIEF not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DON NIXON, Royal Seal Construction, stated that the trees could not be placed on the north side of the building because the City required that the gutter system be enlarged from a two-foot system to an eight-foot system. There are no more than four inches between the gutter system and the masonry fence, and it is unlikely that the trees will grow in this small amount of space. MR. NIXON indicated that the neighbor to the north side signed a letter stating that he does not want the trees.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 95 – ROC-4825

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, stated that staff is not in favor of losing landscaping. Staff continues to recommend that the landscaping be provided, but does not argue with the applicant's reasoning as to why he wishes to delete that requirement.

COUNCILMAN MACK noted that Flood Control repeatedly informed his office that the drainage facilities do not preclude the planting of trees. It only means that the drainage facility must be redesigned and another type of facility installed. Therefore, he moved for denial.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:55 – 1:58)

3-1791

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II, LIMITED PARTNERSHIP** - Request for a Site Development Plan Review FOR A MEDICAL OFFICE DEVELOPMENT CONSISTING OF FOUR 4,000 SQUARE FOOT SINGLE STORY BUILDINGS on 1.49 acres adjacent to the west side of Torrey Pines Drive, approximately 200 feet north of Rancho Drive (APN 138-02-214-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN MACK stated that after several proposals for this site, finally this plan will work with the odd-shaped parcel, which will not be detrimental to the residents on the east side of Torrey Pines.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:58 – 1:59)

3-1906

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 96 – SDR-4182

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the March 29, 2004 building elevations and revised site plan date stamped July 14, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. Turf shall not exceed a maximum of 12.5% of the landscape area.
5. The waiver request from the parking lot landscape island requirement is hereby approved. The landscaping in the parking lot area shall conform to the requirements listed in Title 19.12.
6. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash enclosure shall be walled and roofed in accordance with the requirements of Municipal Code Section 19.08.045.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 96 – SDR-4182

CONDITIONS – Continued:

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
12. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
13. Vehicle access must be provided and maintained to and through the existing sewer easement along the easterly section of this site and no permanent structures or trees shall be placed in the existing sewer easement along the easterly section of this site.
14. These pad sites must always allow for the perpetual common access between the various parcels/owners within the Rancho Pines commercial subdivision area.
15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4630** - **APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD** - **OWNER: STATE OF NEVADA BUILDING & GROUNDS** - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 62,500 SQUARE FOOT DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION BUILDING on 8.12 acres adjacent to the southwest corner of St. Louis Avenue and McLeod Street (a portion of APN 162-01-402-006), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 9

MOTION:**REESE – ABEYANCE to 9/1/2004 – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

DAVID SCHMIDT, State of Nevada, 1830 East Sahara Avenue, Suite #204, appeared on behalf of the applicant and concurred with all conditions, but wanted to discuss the proposed condition submitted by the Councilman representing the area.

COUNCILMAN REESE indicated that this is the first he had heard about this project. He received numerous complaints from constituents residing in this area. He would have appreciated the applicant bringing the project to him and discussing the neighbors' concerns. Anything proposed for this property would be beneficial to the neighbors, but his concern is the use. He would like to impose a condition requiring a six-foot wrought iron fence be installed around the property and that it be locked after closing time.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 97 – SDR-4630

MINUTES – Continued:

MR. SCHMIDT apologized for not meeting with the Councilman. He was under the impression that there were no concerns. The building will be occupied 24-7 because of the type of operation. The wrought iron fence would cost approximately \$100,000 and is not feasible with a firm budget. He indicated that the State's long-range plan is to develop this drainage into an amenity with pedestrian walkways. The proposed project will have extensive landscaping. He would not like to delay the decision, as they are ready to build in order to meet the State's schedule. He is not certain at this time whether the fence is needed.

COUNCILMAN REESE pointed out this area has a history of crime. There is a Metro substation in this area and a number of officers will be moved into the facility. He received a number of complaints of vandalism on that building. The park west of the substation has many problems, and these reach from Eastern Avenue to Boulder Highway. He feels that the proposed project will be a haven for this type of behavior. He is uncertain whether the State can monitor the loitering or problems that spill into the surrounding neighborhoods. MR. SCHMIDT stated that the property is undeveloped and he has also seen people sleeping in the arroyo. He believes that developing the property will preclude that activity. He is certainly open to any suggestions the Councilman may have.

COUNCILMAN REESE requested that the item be held in abeyance for two weeks to give the applicant the opportunity to meet with him.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:59 – 2:07)

3-1953

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4639** -
APPLICANT: TRIPLE FIVE DEVELOPMENT - OWNER: VILLAGE SQUARE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 57,092 SQUARE FOOT RETAIL/COMMERCIAL BUILDING AND FOR A WAIVER OF FOUNDATION LANDSCAPING OF THE COMMERCIAL STANDARDS on 1.61 acres approximately 260 feet north of Sahara Avenue and approximately 640 feet west of Fort Apache Road (APN 163-06-816-027), C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation], Ward 2 (Wolfson). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WOLFSON – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JAMES GRINDSTAFF, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:07 – 2:08)

3-2270

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 98 – SDR-4639

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
2. A waiver to the foundation landscaping requirements of the Code is permitted.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 8/18/04, except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 98 – SDR-4639

CONDITIONS – Continued:

Public Works

10. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.
11. Site development to comply with all applicable conditions of approval for Z-139-88 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4820** -
APPLICANT: PLANET NISSAN - OWNER: NORTHWEST AUTOWORLD LTD. -
 Request for a Site Development Plan Review TO ADD TWO DRIVEWAYS TO AN
 EXISTING AUTOMOBILE INVENTORY PARKING LOT on 4.00 acres located at 5850
 Centennial Center Boulevard (APN A portion of 125-27-301-007), T-C (Town Center) Zone,
 Ward 6 (Mack). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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30

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Protest petition with 30 signatures submitted by Connie Rogers

MOTION:

MACK – APPROVED subject to conditions and an added condition as read for the record
 and amended as follows:

- *Entire site perimeter shall have an eight-foot high masonry wall approved by the Planning and Development Department. The wall along the street frontage shall be behind the perimeter landscaping.*

– UNANIMOUS

MINUTES:

NOTE: Subsequent to the minutes a Verbatim Transcript was made a part of the Final Minutes.

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL SCARINGI, Planet Nissan, 5850 Centennial Center Boulevard, noted that the request is for curb cuts and a storage lot that they have improved on the south side of their property. They have already paved it and are in the process of installing the landscape. The two curb cuts will ease the traffic in the area and would allow his car carriers to be off of Centennial Center Boulevard and easily drive into the parking lot. The curb cuts will be a major asset to their operation and safer for the neighborhood.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 99 – SDR-4820

MINUTES – Continued:

CONNIE ROGERS, 5728 Desert Sky Way, resides in the vicinity and stated her back yard is the fourth house on Buffalo Drive. During the day delivery trucks and vehicles, unaware of the dead-end street, come down and make a u-turn. Sometimes it is difficult for big trucks. She submitted her comments for the record together with a petition with 30 signatures opposing the proposed project. MS. ROGERS pointed out that the loud speaker and paging system are very loud and can be heard throughout the neighborhood. MAYOR GOODMAN commented that he was under the impression that an ordinance exists prohibiting loud speakers at a dealership. He verified with MR. SCARINGI that there is a loud speaker and that it must be removed.

COUNCILMAN MACK suggested the applicant read the Town Center Design Standards and abide by the requirements regarding loud speakers. He asked staff if any conditions were imposed regarding shielding of lighting when the site plan was approved for the storage. ROBERT GENZER, Director, Planning and Development Department, replied they are to be shielded so that the light does not shine off of the site that the pole is placed on. MR. SCARINGI added that the lighting is still under construction. COUNCILMAN MACK requested the applicant make sure the lights are not too bright.

COUNCILMAN MACK asked if a sign could be posted on Buffalo Drive that the street is not a commercial street. BART ANDERSON, Public Works Department, replied he would mention that to the Traffic Engineer to see if it can be addressed with signage. He pointed out the portion of Buffalo Drive that was described is the subject of an approved vacation, and the road itself is likely to go away once the shopping center is developed. COUNCILMAN MACK asked the applicant inform his drivers that Buffalo Drive is not a truck route.

COUNCILMAN MACK added he has been concerned about this parking lot, which was approved administratively by staff. He does not want the parking lot to become a sales lot. It should be less intrusive to the adjacent residents. Therefore, he asked staff to add a condition, which he asked MARGO WHEELER, Deputy Director, Planning and Development Department, to read into the record. MS. WHEELER indicated the condition would state that the entire site perimeter shall have an eight-foot high masonry wall approved by the Planning and Development Department, and that the wall shall be behind any perimeter landscaping.

MR. SCARINGI commented he would be applying for a General Plan Amendment at a later date. DEPUTY CITY ATTORNEY BRYAN SCOTT advised that this issue would have to be addressed when it actually comes forward.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 99 – SDR-4820

MINUTES – Continued:

MR. GENZER clarified the wall requirement on the additional condition would be on the perimeter. The setback behind the landscaping would only be along the street frontage. MR. SCARINGI concurred with the added condition as clarified by MR. GENZER.

MAYOR GOODMAN declared the Public Hearing closed.

(2:08 – 2:21)

3-2352

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. No chains shall be used to secure the site. A permanent metal rolling gate approved by the Planning and Development Department shall be installed to control access.

Public Works

3. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall be used only for deliveries. Gates or bollards shall be installed concurrent with the installation of the proposed driveways and shall be opened only for deliveries.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - MASTER SIGN PLAN - PUBLIC HEARING - **MSP-4380** -
APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC. - Request for
 a Master Sign Plan FOR AN APPROVED SEXUALLY-ORIENTED BUSINESS
 (TREASURES GENTLEMEN'S CLUB) adjacent to the northwest corner of Westwood Drive
 and Red Oak Avenue (APN: 162-08-604-001 and 162-09-102-001 & 003), M (Industrial) Zone,
 Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Revised renderings submitted by Planning & Development
5. Submitted after final agenda – e-mail from Attorney Russell Rowe with Master Sign Plan Criteria for Treasures Gentlemen's Club
6. Submitted at City Council – Master Sign Plan Criteria for Treasures Gentlemen's Club submitted by Attorney Russell Rowe

MOTION:

MONCRIEF – APPROVED subject to conditions as read for the record and amended as follows:

2. **Conformance to the sign elevations and Master Sign Criteria document *date stamped August 10, 2004* submitted in conjunction with this request, except as amended by conditions herein.**
4. **The base of the new freestanding sign on Highland Drive shall be detailed to match the bases of the existing freestanding signs at I-15 and Westwood Drive. The modification shall be reviewed and approved by Planning and Development Staff.**

And deleting Condition 5

– UNANIMOUS with MACK abstaining because Treasures is a client of his business, Mack Consulting

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 100 – MSP-4380

MOTION – Continued:

NOTE: MAYOR GOODMAN disclosed that his son represents some of the employees of Treasures, but does not believe that relationship affects this particular issue and would be voting on the item. DEPUTY CITY ATTORNEY BRYAN SCOTT verified that MAYOR GOODMAN had made the same disclosure the last time this item was heard and it is appropriate.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, indicated that this is a Master Sign Plan Application for the entire Treasures site. The request is to consolidate two existing Master Sign Plans on the Treasures site. Somehow two plans were adopted, and the Code requires only one. This would take the two approvals and all the conditions and consolidate them into this application. He submitted a Master Sign Plan Criteria, which is part of the Code requirement. The document outlines all the requirements and restriction on signage for the site.

ATTORNEY ROWE added that the second purpose for the request is to ask for one additional freestanding sign for the site on Highland Drive. Originally the sign was proposed to be located at the corner of Presidio Avenue and Highland Drive. However, Creel Industries, their neighbor to the north, had concerns with respect to that sign drawing traffic down Presidio Avenue and into the site to the north, which could cause problems for deliveries to his business. Therefore, the sign was moved to the south end of Treasures where the existing Highland Avenue office property sign is located. This will address MR. CREEL'S concerns and direct traffic to where it should be going. ATTORNEY ROWE showed a design of the proposed sign depicting the name of the club with an arrow directing people down a private drive into Treasures and not down Presidio Avenue.

COUNCILWOMAN MONCRIEF thanked the applicant for working with staff to move the sign to the appropriate site and for working with Creel Printing.

MARGO WHEELER, Deputy Director, Planning and Development Department, stated for the record that Condition 2 would need to be amended to clarify that the approval is in conformance with documents date-stamped August 10, 2004. Condition 4 will be amended that the base of the freestanding sign will be on Highland Drive, deleting "and Presidio Avenue", and Condition 5 would be deleted in its entirety as the Master Sign Plan has been submitted. ATTORNEY ROWE concurred with the amendments and deletion. MS. WHEELER further clarified that although the Master Sign Criteria for Treasures is dated August 18, 2004, Condition 2 will reflect the date-stamped of August 10, 2004.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 100 – MSP-4380

MINUTES – Continued:

ATTORNEY ROWE thanked COUNCILWOMAN MONCRIEF and her staff for their assistance regarding this application.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:21 – 2:27)
3-2956

CONDITIONS:

Planning and Development

1. The approvals for MSP-1409 and MSP-2565 shall be expunged.
2. Conformance to the sign elevations and Master Sign Plan Sign Criteria document as submitted in conjunction with this request, except as amended by conditions herein.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. The base of the new freestanding sign at Highland Drive and Presidio Avenue shall be detailed to match the bases of the existing freestanding signs at I-15 and Westwood Drive. The modification shall be reviewed and approved by Planning and Development staff.
5. The Master Sign Plan Sign Criteria document shall be modified to prohibit any additional Consolidated or Freestanding Signs, and shall include specific design guidelines for any future wall signage.
6. The raceway lighting shall not flash.
7. No additional freestanding or monument signs will be permitted along Westwood Drive.
8. No temporary signage shall be allowed on the parcels without the approval of a Temporary Sign Permit from the Planning and Development Department.
9. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION - PUBLIC HEARING - **MOD-4484 - APPLICANT/OWNER: RITTER CHARITABLE TRUST** - Request for a Major Modification to the Lone Mountain West Plan FROM: NC (NEIGHBORHOOD COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.00 acres adjacent to the southwest corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
18

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

Submitted at City Council – Protest petition with 18 signatures submitted by Councilman Brown

MOTION:**BROWN – APPROVED subject to conditions – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. ATTORNEY FIORENTINO explained that the property is currently zoned for Commercial. The request is a down-zoning from commercial to residential. The site is currently approved for a church, therefore decreasing

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 101 – MOD-4484

MINUTES – Continued:

the density. The land use being requested is identical to the land use approved immediately west of this property. He is aware about density concerns. There is a letter of intent to sell this property to a homebuilder who intends to develop this in a density similar to what is being approved and what is contemplated along Cliff Shadows on the east side. ATTORNEY FIORENTINO indicated that they would come back with an actual site plan once the deal with the builder is finalized.

CELESTE POST, 10765 West Hunter Mountain Avenue, opposed the project's density. COUNCILMAN BROWN submitted a petition from the neighbors expressing their concerns about the density. Many of the homes along Alexander Road paid significant premiums for their view lots. The request is to down-zone from Commercial to Medium Low Residential, which allows five and a half to twelve units per acre. The builder will be held to the standard of what exists in the area. In reply to MS. POST'S question of whether the units will be condominiums or a two-story product, COUNCILMAN BROWN replied that these would be single family attached. The applicant is required to come before the Planning Commission and the City Council at public hearings as to the specific project they propose. At that time the residents can meet with the developer and express their concerns.

MS. POST asked what happened to the proposed school and church. COUNCILMAN BROWN replied that the Master Plan was zoned as Neighborhood Commercial. Then a church group came in and asked for a Special use Permit, which was approved, and part of that church facility also included the school. That has been withdrawn, and as of today that remains Neighborhood Commercial, unless the City Council takes action to down-zone it to Residential. MS. POST indicated that there are no stores in this particular area. COUNCILMAN BROWN pointed out a convenience store, drugstore, restaurants and some retail shops proposed in the Cliff Shadows Master Planned Community zoned for Village Commercial. East of the I-215 and Cheyenne Avenue, there are 18 acres of approved commercial that will include a supermarket.

LETICIA CATINO, 10749 West Hunter Avenue, expressed concern about traffic, especially with more homes being built. The street is small, and children waiting for the school bus are at risk with the increased traffic. She requested a crossing guard for this location. Only one access is provided into her community, and if other homes should be built, the road would need to be widened to accommodate the traffic. COUNCILMAN BROWN stated that the range of densities approved today would be compatible with the surrounding existing homes. MS. CATINO asked that single story homes be built as a buffer along Alexander Road to protect the view. COUNCILMAN BROWN noted that that issue would be addressed when the site plan comes back as a public hearing. Whatever might be built, Alexander Road would be fully improved. ATTORNEY FIORENTINO indicated that he will work with the residents on the design before it comes before the City Council.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 101 – MOD-4484

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

(2:27 – 2:37)

3-3308

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

Public Works

2. Dedicate 30 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.
3. Construct all incomplete half-street improvements on Alexander Road and Cliff Shadows Parkway adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$38,700.00 towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.
5. Grant a traffic chord easement at the southwest corner of Alexander Road and Cliff Shadows Parkway adjacent to this site.
6. Provide a public sewer stub to the southwest corner of this site at a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 101 – MOD-4484

CONDITIONS – Continued:

7. An update to the master Traffic Impact Analysis for the Lone Mountain West Planned Development must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
8. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-24-99, the required update to the master Traffic Impact Analysis, and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

MAJOR MODIFICATION - PUBLIC HEARING - **MOD-4615** - **APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY** - Request for a Major Modification TO REMOVE PROPERTY FROM THE IRON MOUNTAIN RANCH MASTER PLAN on 4.3 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map
Conditions For This Application
Staff Report

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO MOD-4615 - PUBLIC HEARING - **ZON-4616** - **APPLICANT: COOPER CUSTOM HOMES** - **OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING - **SDR-4617 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 15 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), R-E (Residence Estates) Zone [PROPOSED: R-PD-2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION - PUBLIC HEARING - **MOD-4633** - **APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL** - Request for a Major Modification to the Lone Mountain West Plan FROM: NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 10.26 acres adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – ABEYANCE to 9/1/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 105 [MOD-4633] and Item 106 [SDR-4636].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested a two-week abeyance for both Item 105 [MOD-4633] and Item 106 [SDR-4636] so that the conditions can be reviewed and the applicant can continue to work with COUNCILMAN BROWN on some concerns.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 105 – MOD-4633

MINUTES – Continued:

COUNCILMAN BROWN indicated that the issue is unique because of the elevations. It deals with the sewer and the potential pump station that will have to be built. He does not anticipate too much controversy because a tavern is entitled on this spot.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 105 [MOD-4633] and Item 106 [SDR-4636].

NOTE: All discussion for Item 105 [MOD-4633] and Item 106 [SDR-4636] was held under Item 105 [MOD-4633].

(2:37 – 2:39)

3-3886/4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4633 - PUBLIC HEARING - **SDR-4636 - APPLICANT: KB HOME - OWNER: BRIAN AND JULIE LEE AND NATIONAL GROUP #1, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 55 LOT SINGLE FAMILY SUBDIVISION on 10.26 acres adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**BROWN – ABEYANCE to 9/1/2004 – UNANIMOUS****MINUTES:**

NOTE: See Item 105 [MOD-4633] for all related discussion.

(2:37 – 2:39)

3-3886/4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

STREET NAME CHANGE - PUBLIC HEARING - SNC-4254 - **APPLICANT: CLAY STRINGHAM - OWNER: BABB INVESTMENT COMPANY** - Request for a Street Name Change FROM: SHILOH SCHOOL LANE TO: ISAAC NEWTON WAY, between Hualapai Way and Metro Academy Way, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to condition – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CLAY STRINGHAM appeared on behalf of Babb Investment Company and Challenger School. He stated that the property was purchased in 2001 from West Charleston Baptist Church. At the time the school was known as the Shiloh Christian School, and the street was named to represent that school. The name of the school has been changed to Challenger School, and there has been considerable confusion over the name of the street versus the name of the school. Since they are the only property presently that has an address on this street, they believe it is the appropriate time to make this change. Isaac Newton Way was chosen as an educational name, as well as to honor a great thinker.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 107 – SNC-4254

MINUTES – Continued:

COUNCILMAN BROWN commented that the Challenger School has been a good neighbor in this particular area. The school will be a great addition to the already existing City park and the Metro Academy.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:39 – 2:41)

4-206

CONDITION:

Public Works

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4628 - APPLICANT/OWNER: HABITAT FOR HUMANITY, LAS VEGAS - Request for a Petition to vacate a portion of the west half of La Salle Street between Hart Avenue and Hassell Avenue; and a portion of the north half Hart Avenue between La Salle Street and Concord Street, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LISA FREESTONE, 2270 Corporate Circle, concurred with staff recommendations.

BOB NORRIS, Habitat for Humanity, thanked COUNCILMAN WEEKLY.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:41 – 2:42)

4-280

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 108 – VAC-4628

CONDITIONS:

1. This Vacation shall be revised to retain 15-foot radius corners on the northwest corner of Hart Avenue and LaSalle Street, the northeast corner of Hart Avenue and Concord Street and the southwest corner of Hassell Avenue and LaSalle Street. Also this site shall dedicate any remnant pieces of property needed to complete the 15-foot radius corner on the northwest corner of Hart Avenue and LaSalle Street.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - **RQR-4605 - APPLICANT: JSA, INC. - OWNER; CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY** - Required Two Year Review of an approved Variance (V-0031-02) WHICH ALLOWED 817 PARKING SPACES FOR AN EXISTING COMMERCIAL CENTER, WHERE 887 PARKING SPACES ARE REQUIRED on 17.8 acres adjacent to the south side of Craig Road, approximately 220 feet east of Tenaya Way (APN 138-03-701-011, 012, 018 and 020), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

MOTION:**MACK – APPROVED subject to conditions – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar owned by his brother-in-law, ANDREW DONNER, is located within this shopping center. He has not discussed this item with him nor will this request affect his business. Therefore, he will vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JENNIFER ROBERTS, 8350 West Sahara Avenue, appeared on behalf of the Developer, Great American Capital.

COUNCILMAN MACK indicated that no problems have arisen with regards to the parking; therefore, he moved for approval.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 109 – RQR-4605

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:42 – 2:44)

4-313

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in two years at which time the Planning Commission may require the applicant obtain additional parking. The applicant shall be responsible for notification costs of the review.
2. Any proposed change in use, from general retail, will require a parking analysis to be submitted and reviewed by the Planning and Development Department prior to the issuance of any building permits, business licenses, or Certificates of Occupancy.
3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4521 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BRIGHT PATH, LIMITED LIABILITY COMPANY
 - Request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

Back up referenced from the 7/22/2004 Planning Commission meeting Item 63

Submitted at City Council – Added condition submitted by Attorney Gronauer

MOTION:

MONCRIEF – APPROVED subject to conditions as read for the record:

- *An aesthetic enhancement covering to be placed around the column of the billboard that may consist of a stucco feature or some other architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning and Development Department approval.*

And deleting Condition 2

– **UNANIMOUS** with **MACK** abstaining because Clear Channel Outdoor is one of the outdoor firms he approaches on behalf of his client, Treasures, through his business, Mack Consulting

NOTE: MAYOR GOODMAN disclosed that his law firm is in discussion with the billboard industry, but it will not affect his ability to vote on this matter.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 110 – SUP-4521

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant, and stated that this is an existing billboard sign. He indicated that he submitted to staff an additional condition stating that an aesthetic enhancement covering will be placed around the column of the billboard that may consist of a stucco feature or some other architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning and Development Department approval. ATTORNEY GRONAUER submitted the condition for the record.

MARGO WHEELER, Deputy Director, Planning and Development Department, agreed to the added condition and asked that Condition 2 be deleted as a result of the added condition.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:44 – 2:46)

4-357

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 110 – SUP-4521

CONDITIONS – Continued:

5. Only one advertising sign is permitted per sign face.
6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4576 - APPLICANT: TERRIBLE HERBST OIL COMPANY - OWNER: RANCHO CIRCLE SHOPPING CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) adjacent to the southeast corner of Rancho Drive and Bonanza Road (APN 139-29-801-004), C-2 (General Commercial) Zone, Ward 5 (Weekly). **(Note: This item to be heard in conjunction with Morning Session Item #68 and Item #69).** The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JEANNIE DANIEL, Compliance Officer, Terrible Herbst Oil Company, appeared on behalf of the applicant.

JIM DiFIORE, Manager, Business License Department, clarified that the Special Use Permit refers to a liquor establishment, but the actual Business License is for beer/wine only and is an off-sale type license.

No one appeared in opposition.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 111 – SUP-4576

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(2:46 – 2:48)
4-431

CONDITIONS:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of alcoholic beverages shall be limited to beer and wine only.
3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request for abeyance by Mountain View Estates filed under #112

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

COUNCILMAN MACK disclosed that on Item 112 [SUP-4592], a client of Mack Consulting is within the notification radius of this request. His client, Treasures, has not discussed this request with him nor will it affect their operation; therefore, he will be voting on the item.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4593 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: S & K FAMILY TRUST - Request for a Special Use Permit FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1531 Western Avenue (APN 162-04-605-007), M (Industrial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development
5. Submitted after final agenda – Request for abeyance by Mountain View Estates filed under #112

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 South Decatur Boulevard (APN 162-06-301-006), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Mountain View Estates
5. Submitted after final agenda – Request for abeyance by Mountain View Estates filed under #112

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack). The Planning Commission (4-1-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-1-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plans submitted by Planning and Development
5. Submitted at City Council – Revised Condition 4 submitted by the Public Works Department

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and *rural improvements on Brent Lane adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Brent Lane; and 30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at*

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 115 – ZON-4200

MOTION – Continued:

this time on Brent Lane. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

And the following added condition:

- *A maximum of two horses shall be allowed on any lot within the development.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 115 [ZON-4200] and Item 116 [SDR-4198].

BRIAN PSIODA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and thanked staff for allowing the applicant to work with the neighbors and make modifications to the site. Since the Planning Commission meeting, the entrance has been moved to the southern portion of the site from Brent Lane to Jones Boulevard. He stated for the record that any future actions would comply with this site plan. He concurred with staff conditions, as well as an added condition submitted for the record by BART ANDERSON, Public Works Department.

MR. ANDERSON explained that Item 115 [ZON-4200] is in an area that has been developed with rural street standards on abutting streets. At the direction of City Council, rural improvements are allowed on Brent Lane adjacent to this site.

COUNCILMAN MACK thanked the applicant for working with staff and for addressing the residents' concerns, and added a condition limiting the number of horses to two on any lot within the development. MR. ANDERSON submitted for the record the added condition addressing the rural improvements on Brent Lane. MR. PSIODA concurred with the added conditions.

Regarding Item 116 [SDR-4198], MR. PSIODA indicated that the 15-acre parcel, while not part of this application, would become part of this site plan. The developer intends on developing the property as per the site plan, which has been shown to the residents.

COUNCILMAN MACK noted that the site plan is compatible with the surrounding development. MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that Condition 3 be amended to reflect that the development shall be in conformance with the site plan and building elevations for 27 units date-stamped August 11, 2004.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 115 – ZON-4200

MINUTES – Continued:

MR. ANDERSON recommended the addition of two conditions regarding the landscaping and maintenance of unimproved right-of-way on Jones Boulevard adjacent to this site, and that the applicant landscape and maintain the unimproved right-of-way and submit an encroachment agreement for such landscaping, as the road is going to be developed somewhat less than the full width of the right-of-way.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 115 [ZON-4200] and Item 116 [SDR-4198].

NOTE: All discussion for Item 115 [ZON-4200] and Item 116 [SDR-4198] was held under Item 115 [ZON-4200].

(2:48 – 2:57)

4-546

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan (SDR-4198) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Iron Mountain Road and Jones Boulevard prior to the issuance of any permits.
4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and construct half-street improvements on Brent Lane including appropriate overpaving, if legally able, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 115 – ZON-4200

CONDITIONS – Continued:

5. The west half of Jones shall be constructed to a half width of 40 feet within the 50-foot half right-of-way. Landscape and maintain all unimproved right-of-way on Jones adjacent to this site. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
6. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Iron Mountain Road. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
7. Extend oversized public sewer in Jones Boulevard to the northern edge of this site and extend public sewer in Brent Lane to the western edge of this site in Brent Lane to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - **SDR-4198** - **APPLICANT: STERLING S DEVELOPMENT** - **OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

Submitted after final agenda – Revised plans submitted by Planning and Development

Submitted at City Council – Added conditions submitted by the Public Works Department

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

3. All development shall be in conformance with the site plan and building elevations for 27 units, date-stamped 8/11/2004, except as amended by conditions herein.

And the following added conditions:

- *Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site.*
- *Submit an Encroachment Agreement for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to occupancy of this site.*

– UNANIMOUS

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 116 – SDR-4198

MINUTES:

NOTE: See Item 115 [ZON-4200] for all related discussion.

(3:15 – 3:16)

5-1190

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4200) to an R-PD2 (Residential Planned Development - 2 Units Per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped July 9, 2004, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 18,000 square feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage and 16 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 20 feet in the rear.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit and shall be revised and approved by Planning and Development Department staff, prior to the issuance of a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 116 – SDR-4198

CONDITIONS – Continued:

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4200 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 116 – SDR-4198

CONDITIONS – Continued:

19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - **ZON-4368** - **APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

Location Map

Conditions For This Application

Staff Report

Back up referenced from the 7/22/2004 Planning Commission meeting Item 24

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 117 – ZON-4368

MINUTES – Continued:

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant; therefore, he will be voting on the items.

(1:04 – 1:10)

3-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION RELATED TO ZON-4368 - PUBLIC HEARING - VAC-4420 -
APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL -
Request for a Petition to vacate U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 25

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 118 – VAC-4420

MINUTES – Continued:

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant; therefore, he will be voting on the items.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING - **SDR-4370** - **APPLICANT: CARINA HOMES** - **OWNER: RONALD AND CAROLYN MICH'L** - Request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 26

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 119 – SDR-4370

MINUTES – Continued:

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant; therefore, he will be voting on the items.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT – 3 UNITS PER ACRE) on 8.79 acres adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN 125-24-201-002), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development
5. Submitted at City Council – Proposed conditions submitted by Craig Shirley

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

3. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map to reflect an average lot size of 10,496 square feet, with no lot being less than 8,800 square feet.

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 120 [ZON-4452] and Item 121 [SDR-4455].

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared on behalf of the applicant and stated that the property is located on the corner of Jones Boulevard and Deer Springs Way. It is near a parcel that has an approved site plan. They are trying to do the same site plan but at a

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 120 – ZON-4452

MINUTES – Continued:

lower density. There will be an entrance off Deer Springs Way, and the central common area can be seen from Deer Springs Way. The site immediately east was modified by taking away the lot at the top of the common lot area, making it accessible from both sides of Garret Circle.

ATTORNEY LARSEN indicated staff had originally recommended a condition for a minimum lot size of 11,000 square feet, but it was modified by the Planning Commission to a minimum lot size of 8,800 square feet with an average lot size of 11,000 square feet. The dimensions of the open space and common area have been modified, as well as the larger lots. The smallest lot size remains at 8,800 square feet and brings the average lot size to 10,496 square feet. He asked that the conditions be modified to reflect that square footage.

MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that staff reviewed the site plan and it conforms with the recommendation of the Planning Commission. However, a condition would need to be revised on both Item 120 [ZON-4452] and Item 121 [SDR-4455].

CRAIG SHIRLEY, 5901 Mellow Avenue, appeared in support of the request as recommended by the Planning Commission restricting lot size to a minimum of 8,800 square feet and asked that the median lot size be 11,000 square feet. He also asked that a condition be imposed restricting the houses to single story to conform to what exists in this area. The two-story density will severely impact the rural character of the existing neighborhood.

FERN UNGER, 5920 Mellow Avenue, appeared in support and indicated that they have enjoyed a great view for the past 18 years. She asked that the development be all single story homes to maintain at least a partial view. She expressed concern about the elevations and how they would affect flooding. She asked if there will be adequate drains on Deer Springs Way or if other provisions will be implemented to keep her home from being flooded during a serious rainstorm. BART ANDERSON, Public Works Department, replied that all developments require a drainage study to evaluate all existing and proposed drainage patterns and to seek to minimize any adverse drainage. MS. UNGER stated that her backyard has a chain link fence that will not hold back anything. She asked if she is required to obtain flood insurance. MR. ANDERSON asked that MS. UNGER contact the Public Works Department, Flood Control Division, to determine whether she is in a flood zone. If she is, she already should have flood insurance.

ATTORNEY LARSEN commented they are willing to submit a drainage study and comply with any recommendations that may come from that study.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 120 – ZON-4452

MINUTES – Continued:

COUNCILMAN MACK stated that the current site plan has a condition that the median size lot will be 11,000 and no lot will be smaller than 8,800 square feet. ROBERT GENZER, Director, Planning and Development Department, clarified that it actually speaks to an average size of 11,000 square feet, which is the standard wording.

ATTORNEY LARSEN discussed with COUNCILMAN MACK that a determination has not been made yet as to how many homes will be two-story. The homes will be semi-custom, and it will depend on the buyer of that particular lot. COUNCILMAN MACK asked the applicant to work with staff regarding this issue. MR. GENZER added that based on the revised plan, if the applicant is moving forward on this plan, Condition 3 of Item 120 [ZON-4452] would need to be amended to change the average lot size of 11,000 square feet to 10,496 square feet. ATTORNEY LARSEN agreed to that revision.

Regarding Item 121 [SDR-4455], MS. WHEELER recommended that the 11,000 square feet in Condition 4 be changed to 10,496 square feet and that Condition 5 be amended to reflect the date of the plans as August 10, 2004. ATTORNEY LARSEN concurred and thanked MS. WHEELER for her help with both applications.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 120 [ZON-4452] and Item 121 [SDR-4455].

NOTE: All discussion for Item 120 [ZON-4452] and Item 121 [SDR-4455] was held under Item 120 [ZON-4452].

(2:57 – 3:09)

4-794

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4455) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. The site plan shall be revised and approved by the Planning and Development Department; prior to the time application is made for a tentative map to reflect an average lot size of 11,000 square feet, with no lot being less than 8,800 square feet.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 120 – ZON-4452

CONDITIONS – Continued:

Public Works

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Deer Springs Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. If not already constructed, extend public sewer from Bradley Road to this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4452 - PUBLIC HEARING - **SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN** - Request for a Site Development Plan Review FOR A 29 LOT SINGLE FAMILY DEVELOPMENT on 8.79 acres located adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN 125-24-201-002), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of an average of 10,496 square feet with no lot being no less than 8,800 square feet.
5. All development shall be in conformance with the site plan and building elevations, date stamped 8/10/2004, except as amended by conditions herein.

– UNANIMOUS

MINUTES:

NOTE: See Item 120 [ZON-4452] for all related discussion.

(3:15 – 3:16)

5-1190

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 121 – SDR-4455

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4452) to a R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of an average of 11,000 square feet with no lot being no less than 8,800 square feet.
5. All development shall be in conformance with the site plan and building elevations, date stamped May 10, 2004, except as amended by conditions herein.
6. Building height shall not exceed two stories or 35 feet, whichever is less.
7. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear for interior lots, 20 feet in the rear for lots adjacent to Deer Springs Way and Leon Avenue.
8. The landscape plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within a six foot planter along Jones Boulevard and Deer Springs Way.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 121 – SDR-4455

CONDITIONS – Continued:

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. No perimeter or retaining wall shall exceed a height of eight feet without step backs in accordance with the Code.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
14. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
15. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
18. Site development to comply with all applicable conditions of approval for ZON-4452 and all other site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 121 – SDR-4455

CONDITIONS – Continued:

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations. A deviation for non-standard knuckles at street bends is required.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **ZON-4459** - **APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN 125-24-401-001, 002, 010, 011 and 125-24-302-014), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****52****City Council Meeting****82****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development
5. Submitted after final agenda – Protest petition with 79 signatures for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
6. Submitted after final agenda – Protest letters from Dr. and Mrs. Green, Linda Mayers and Carleen Rajak for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
7. Back up referenced from the 7/22/2004 Planning Commission meeting Item 21
8. Submitted at City Council – Centennial Hills Sector Plan and comments from Craig Shirley filed under Item 122 [ZON-4459]
9. Submitted at City Council – Revised Condition 4 for Item 122 submitted by the Public Works Department filed under Item 122 [ZON-4459]

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. **Construct half-street improvements on Jones Boulevard and rural improvements on Leon Avenue and Cowboy Trail adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Leon Avenue and Cowboy Trail; and**

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Leon Avenue and Cowboy Trail. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaemper Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. ATTORNEY LAZOVICH indicated that immediately adjacent to the proposed site and to the east are R-E lots and to the west and south there is Jones Boulevard and the Beltway. In light of this, the applicant has tried to provide a site plan that addresses the differences between the R-E lots. She explained that there is a hatch line running in this location and everything inside that line is considered to be the 330-foot buffer to the R-E homes. There will be a minimum lot size of 10,000 square feet within that buffer, as well as providing the required open space. A neighborhood meeting was held where several concerns were expressed, such as access onto Leon Avenue. Initially, there were two access points, one on Jones Boulevard and one on Leon Avenue. After listening to the residents' concerns, the access onto Leon Avenue was removed, leaving only one entrance and exit off Jones Boulevard. However, an emergency crash gate was added, and in doing so they were able to pull away a parcel and shift south to gain a buffer to the R-E immediately to the north.

ATTORNEY LAZOVICH added that two lots were removed on Cowboy Trail. An eight-foot block wall will be built because the residents did not want the lots and wanted a tall wall. Single story homes will be provided from lots 62 to lot 73. These lots are immediately adjacent to the R-E homes. The applicant agrees to do livestock disclosures to any potential buyer and agrees to do rural street improvements on Leon Avenue. There will be no streetlights, but they will do

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

lamplights instead. Within the open space, there will be bollard lighting or lamplighting so that the light will not spill into the R-E lots. ATTORNEY LAZOVICH pointed out that this particular piece of property is master planned up to 3.5 dwelling to the acre. They are not asking for a General Plan Amendment. The waiver request is for a taller wall along Centennial Parkway to prevent severe noise from the Beltway.

DONDI TURNER, 5601 Ano Drive, stated that on July 19th and 20th the City of Las Vegas unveiled the open space plan for the northwest area. She thanked the City Council, especially COUNCILMEN MACK and BROWN, for recognizing their need for rural protection and open space. She summarized that the Centennial Hill Sector Plan recognizes farmland, cattle and horse ranches and acknowledges the need for preservation. Over one third of their homes are on half acre to five acre lots with livestock. The study also acknowledges the need for park trails and open space within a radius of the neighborhood, rather than a tight dense development. The main objective of the Centennial Hill Sector Plan is to preserve and ensure distinct rural residential character buffered from surrounding high-density development. The proposed zone change would allow dense home sites and set a precedent that would change the rural character. Schools in this area are already overcrowded, and both elementary and high school students have been bused within this neighborhood.

MS. TURNER thanked ATTORNEY LAZOVICH for hosting the neighborhood meeting and for allowing the residents to express compatible changes to the proposed development. While the acreage is misrepresented and the density has been altered, the residents appreciate having the original proposed traffic exits recognized and changed. MS. TURNER indicated that a petition with 159 signatures was submitted at the Planning Commission meeting. She asked the City Council to safeguard their neighborhood. She also pointed out that the public hearing notice reflected 42.36 acres, but the application states 47.46 acres. ATTORNEY LAZOVICH verified that all documentation she has, as well as in their site plan, reflects 47.46 acres. MAYOR GOODMAN verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that it should not create a legal issue. ROBERT GENZER, Director, Planning and Development Department, was unsure the reason for the difference in acreage on this particular item.

CRAIG SHIRLEY, 5901 Mellow Avenue, stated that he supports the property being developed, but opposes the incompatible high-density development proposed by the applicant. There is no shortage of land being developed at this density in Las Vegas. He indicated that less than one mile from this property 7500 acres are being developed as a master-planned community by the City of North Las Vegas. The Centennial Hills Sector Plan restricted high-density housing in

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

rural preservation areas. The property in question is intersected by the boundary of the rural preservation buffer. The joint Parks and Trails Plan identified the need for equestrian trails in this particular area. In fact, a number of trails are being developed to serve this area. MR. SHIRLEY pointed out that this particular neighborhood has lots large enough to support horses and limited domestic livestock. Both the City and County recognize this lifestyle and are spending a substantial amount of public money building equestrian trails. If horse ownership is precluded through zoning on land served by these trails, that public money has been wasted. The residents prefer to retain the existing R-E zoning. If this development should move forward, he asked that a number of conditions, similar to those imposed on the DR Horton development, be imposed to make the project compatible and acceptable. He specifically asked that the density be reduced and restricted to single-story homes. He submitted those conditions for the record.

COUNCILMAN MACK understood the residents' concerns, as this is an area that has been encroached upon by growth. This intersection of Jones Boulevard and I-215 is a very busy intersection, and there should be some compromise. It is important to note that the request for R-PD3 conforms to the General Plan. The applicant has agreed to put single story on lots 62 through 71 and 73. COUNCILMAN MACK asked that the lot that sticks out in the open space be removed and that lots 33 through 48, adjacent to Leon Avenue, also be single story. He was pleased that the entrance was removed off Leon Avenue. He verified with BART ANDERSON, Public Works Department, that Condition 4 of Item 122 [ZON-4459] would be amended to reflect rural improvements on Leon Avenue and Cowboy Trail, which he submitted for the record.

COUNCILMAN MACK commented that this item has been contentious. However, the request conforms to the General Plan. In addition, directly across the street, the County approved a development with the same density.

In regard to Item 124 [SDR-4461], COUNCILMAN MACK amended Condition 3 to reflect a maximum of 161 lots and added a condition that lot 49 shall be converted to open space. In addition, amend Condition 4 to reflect the revised site plan dated August 12, 2004. He also amended Condition 7 by adding a sentence that all lots adjacent to the east property line along Leon Avenue shall be limited to single story. ATTORNEY LAZOVICH rebutted that the revised site plan was August 11, 2004. MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that it should reflect the stamped date of August 13, 2004. MS. WHEELER also clarified for COUNCILMAN MACK that Condition 7 should be amended that the lots immediately adjacent to the existing R-E lots on the north and east portion of the project

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

shall be limited to single story and be specified as lots 33 through 48 and 62 through 73. That includes those adjacent to the R-E lots to the north. ATTORNEY LAZOVICH concurred with all the amended conditions. MR. ANDERSON confirmed for ATTORNEY LAZOVICH that the condition regarding rural improvements on Leon Avenue and Cowboy Trail was imposed on Item 122 [ZON-4459].

MAYOR GOODMAN declared the Public Hearing closed on Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461].

(3:09 – 3:34)
4-1220

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for any remaining portion of Cowboy Trail and the appropriate cul-de-sac radius. Dedicate appropriate right-of-way necessary for a knuckle acceptable to the Department of Public Works at the intersection of Leon Avenue and Centennial Parkway, unless otherwise allowed by the City Engineer.
4. Construct half-street improvements on Jones Boulevard and Cowboy Trail adjacent to this site concurrent with development. Also construct half-street improvements on Leon Avenue including appropriate overpaving and a knuckle acceptable to the Department of intersection, unless otherwise allowed by the City Engineer, concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

CONDITIONS – Continued:

6. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
7. Extend public sewer in Leon Avenue to the northern border of this site at a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-4459 - PUBLIC HEARING - **VAR-4462** - **APPLICANT: RUTH L. BOYD & DEAN KATRIS** - **OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW 2.35 ACRES OF OPEN SPACE WHERE 2.44 IS REQUIRED; AND TO ALLOW A 10 FOOT WALL HEIGHT WHERE 8 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR A PROPOSED RESIDENTIAL SUBDIVISION on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN 125-24-401-001, 002, 010, 011 and 125-24-302-014), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL. **(NOTE: The Variance for open space has been withdrawn without prejudice by the applicant)**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

52
82

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 79 signatures for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
5. Submitted after final agenda – Revised plan submitted by Planning & Development
6. Submitted after final agenda – Protest letters from Dr. and Mrs. Green, Linda Mayers and Carleen Rajak for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
7. Back up referenced from the 7/22/2004 Planning Commission meeting Item 22
8. Submitted at City Council – Centennial Hills Sector Plan and comments from Craig Shirley filed under Item 122 [ZON-4459]
9. Submitted at City Council – Revised Condition 4 for Item 122 submitted by the Public Works Department filed under Item 122 [ZON-4459]

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 123 – VAR-4462

MINUTES:

NOTE: See Item 122 [ZON-4459] for all related discussion.

(3:09 – 3:34)

4-1220

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4459) and Site Development Plan Review (SDR-4461).
2. This Variance for wall height shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

3. Grading information and cross sections must be provided with the Tentative Map submittal for this site and shall comply with the City of Las Vegas Title 18 Subdivision Ordinance; if compliance cannot be met Waivers may be required.
4. Site development to comply with all applicable conditions of approval for Rezoning Application ZON-4459, Site Development Plan Review SDR-4461 and all other site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4459 AND VAR-4462 - PUBLIC HEARING - **SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 163 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN 125-24-401-001, 002, 010, 011 and 125-24-302-014), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

52**82****APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 79 signatures for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
5. Submitted after final agenda – Revised plan submitted by Planning & Development
6. Submitted after final agenda – Protest letters from Dr. and Mrs. Green, Linda Mayers and Carleen Rajak for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
7. Back up referenced from the 7/22/2004 Planning Commission meeting Item 23
8. Submitted at City Council – Centennial Hills Sector Plan and comments from Craig Shirley filed under Item 122 [ZON-4459]
9. Submitted at City Council – Revised Condition 4 for Item 122 submitted by the Public Works Department filed under Item 122 [ZON-4459]

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

3. This Site Development Plan Review for a maximum of 161 units shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 124 – SDR-4461

MOTION – Continued:

4. All development shall be in conformance with the site plan and building elevations, date stamped *August 13, 2004*, except as amended by conditions herein.
7. The lots immediately adjacent to the existing R-E (Residence Estates) lots on the north and east portion of the project shall be limited to single story (*Lots 33 through 48 and 62 through 71 and 73*). *That includes those adjacent to the R-E lots to the north.*

And the following added condition:

- *Lot 49 shall be converted to open space.*

– UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-4459] for all related discussion.

(3:09 – 3:34)

4-1220

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4459) to a Residential Planned Development - 3 Units Per Acre Zoning District and Variance (VAR-4462) approved by the City Council.
3. This Site Development Plan Review for a maximum of 162 units shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped July 22, 2004, except as amended by conditions herein.
5. The standards for this development shall include the following: building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 15 feet to the side loaded garage and the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.
7. The lots immediately adjacent to the existing R-E (Residence Estates) lots on the north and northeast portion of the project shall be limited to single story (Lots 62 through 73).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 124 – SDR-4461

CONDITIONS – Continued:

8. There shall be an eight (8) foot decorative block wall along the northern (next to the open space) and the northeastern boundary (lots 62 through 73) of the project immediately adjacent to the existing R-E (Residence Estates) lots.
9. There shall be no ingress or egress on Leon Avenue subject to the approval of the Fire Department and Traffic Engineer. However, there will be an emergency access gate on Leon Avenue.
10. The interior of the project shall use lamplights only and no streetlights. The open space area shall be illuminated with either lamplight or bollard lighting.
11. The developer shall provide a livestock disclosure statement to each buyer, which advises them of the possibility of livestock on R-E (Residence Estates) lots.
12. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the multi-use transportation trail to be consistent with design guidelines.
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary and comply with recommendations.
18. Provide written verification from Clark County that all rights-of-way for the beltway have been provided prior to the submittal of a Tentative Map for this site.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 124 – SDR-4461

CONDITIONS – Continued:

19. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a. The Jones Boulevard entry drive shall have a minimum ingress and egress radius of 25-feet unless otherwise allowed by the City Traffic Engineer.
20. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. Site development to comply with all applicable conditions of approval for ZON-4459 and all other subsequent site-related actions.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4483 - APPLICANT: CLIFFS EDGE, LIMITED LIABILITY COMPANY - OWNER: SOUTHWEST DESERT EQUITIES - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.00 acres adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Puli Road (APN 126-13-101-003), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer, Kaemper, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He stated that the applicant acquired this out-parcel and this action would add it to the Providence Master Plan and be subject to all of the standards of that plan. He concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:34 – 3:35)

4-2232

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 125 – ZON-4483

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

3. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.
4. Requirements for construction of street improvements adjacent to this site shall be determined at the time of development of this site.
5. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.
6. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4695 - APPLICANT: PAGEENTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 5.0 acres adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 126 [ZON-4695], Item 127 [SUP-4614] and 128 [SDR-4613].

The applicant was not present and there was no discussion.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 126 [ZON-4695], Item 127 [SUP-4614] and 128 [SDR-4613].

NOTE: It was clarified with BART ANDERSON, Public Works Department, that Conditions 9 through 13 of Item 128 [SDR-4613] are a duplicate listing and should be deleted.

(3:35 – 3:37)

4-2285

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 126 – ZON-4695

CONDITIONS:

Planning and Development

1. Special Use Permit (SUP-4614) and Site Development Plan Review (SDR-4613) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road and 50 feet of right-of-way adjacent to this site for Elkhorn Road. Also dedicate a 54-foot radius on the southeast corner of Fort Apache Road and Elkhorn Road prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities.
4. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
5. Construct half-street improvements, including appropriate overpaving, on Fort Apache road and Elkhorn Road adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 126 – ZON-4695

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-4695 - PUBLIC HEARING - **SUP-4614** - **APPLICANT: PAGEENTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER** - Request for a Special Use Permit FOR PRIVATE STREETS AND A WAIVER FROM THE REQUIREMENT THAT PRIVATE STREETS BE GATED, FOR A 30 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.0 acres adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 126 [ZON-4695] for all related discussion.

(3:35 – 3:37)

4-2285

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4695) and Site Development Plan Review (SDR-4613).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 127 – SUP-4614

CONDITIONS – Continued:

3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
5. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
6. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. Site development to comply with all applicable conditions of approval for ZON-4695, SDR-4613 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4695 AND SUP-4614 - PUBLIC HEARING - **SDR-4613** - **APPLICANT: PAGEANTRY COMMUNITIES** - **OWNER: ERNEST AND KATHLEEN BECKER** - Request for a Site Development Plan Review FOR A 30 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5 acres adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 126 [ZON-4695] for all related discussion.

NOTE: It was clarified with BART ANDERSON, Public Works Department, that Conditions 9 through 13 of Item 128 [SDR-4613] are a duplicate listing and should be deleted.

(3:35 – 3:37)

4-2285

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. Special Use Permit (SUP-4614) application approved by City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 128 – SDR-4613

CONDITIONS – Continued:

3. This Site Development Plan Review for a maximum 29 units shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development are a maximum of 5 feet to the face of the garage as measured from the back of curb, 10 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 5 feet in the rear
5. The maximum building height allowed shall not exceed 2 stories or 35 feet, whichever is less.
6. A revised landscaping plan shall be submitted to the Planning and Development Department for review and approval, prior to the submittal of a Final Map Technical Review to reflect the correct number of street trees and a six-foot wide landscape buffer along Fort Apache Road and Elkhorn Road.
7. Sidewalk patterns and street corners shall conform to the Town Center Development Standards for Special Pavement and Sidewalk Treatments.
8. Any perimeter property line wall shall meet the fence and wall standards of subsection E.A.9 (Figures 28, 28a) of the Town Center Development Standards. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Any perimeter wall, including combining the retaining and screen wall, shall not be greater than six feet tall without appropriate stepbacks.

Public Works

9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 128 – SDR-4613

CONDITIONS – Continued:

11. Site development to comply with all applicable conditions of approval for ZON-4695 and all other subsequent site-related actions.
12. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
13. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.

Public Works

9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
11. Site development to comply with all applicable conditions of approval for ZON-4695 and all other subsequent site-related actions.
12. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
13. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 128 – SDR-4613

CONDITIONS – Continued:

drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-3933 - CITY OF LAS VEGAS** - Request to amend the Master Plan Transportation Trails Element of the General Plan to add and remove certain trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan", Wards 2, 3, 4 and 6 (Wolfson, Reese, Brown and Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

REESE – APPROVED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROBERT GENZER, Director, Planning and Development Department, indicated that this is a housekeeping item.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:37 – 3:38)

4-2377

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4091** -
APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-001), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL of R (Rural)

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****7****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 12

MOTION:

MACK – APPROVED subject to condition – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 130 [GPA-4091], Item 131 [ZON-4093], Item 132 [VAR-4094] and Item 133 [SDR-4095].

ROBERT GENZER, Director, Planning and Development Department, clarified that staff's recommendation for denial was based upon the original application. Staff does not object to the amended application to Rural on the General Plan Amendment and R-PD3 on the zone change.

ATTORNEY BOB GRONAUER, Kummer, Kaemper, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the property owner and stated that BEVERLY BLASKY and FRANK ALEXANDER represent the residents of Iron Mountain Ranch. Initially,

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 130 – GPA-4091

MINUTES – Continued:

approximately 50 people opposed the original plan, but after several meetings with the residents, all the differences were addressed. The request is for a GPA to rural density, and the zone change is an R-PD3. The residents also support the Site Development Plan and Variance. He indicated that conditions imposed on the site plan are similar to those imposed on other developments in Iron Mountain Ranch, such as the block wall constructed along Horse Drive and Jones Boulevard to be compatible with the Iron Mountain Ranch standards, as well as the landscaping. Electric lamp lighting will be provided interior to the project, and the perimeter streets that have light posts will be subject to the same standards of Iron Mountain Ranch.

Since the applicant significantly reduced the number of lots, COUNCILMAN MACK moved to approve the GPA. He added a condition on Item 131 [ZON-4093] that the development be limited to a maximum of 62 building lots. On Item 133 [SDR-4095], he added a condition that all exterior walls and perimeter landscaping shall conform to the Iron Mountain Ranch Standards. Interior lighting of streets shall be by lamppost, and exterior streetlights shall conform with the Iron Mountain Ranch streetlight standard. ATTORNEY GRONAUER concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 130 [GPA-4091], Item 131 [ZON-4093], Item 132 [VAR-4094] and Item 133 [SDR-4095].

(3:38 – 3:44)

4-2465

CONDITION:

1. Approval is to R (Rural Density Residential).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-4091 - PUBLIC HEARING - **ZON-4093** - **APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-001), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL of R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****8****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 13

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

- *Development is limited to a maximum of 62 building lots.*

– UNANIMOUS

MINUTES:

NOTE: See Item 130 [GPA-4091] for all related discussion.

(3:38 – 3:44)

4-2465

CONDITIONS:

Planning and Development

1. The request shall be amended to R-PD3 (Residential Planned Development – 3 Units Per Acre).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 131 – ZON-4093

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. Horses are not allowed within the subdivision.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 54-foot radius on the northeast corner of Jones Boulevard and Horse Drive. Additional dedications in accordance with Standard Drawing #234.1 along Jones Boulevard shall also be provided unless otherwise allowed by the City Traffic Engineer.
5. Construct half-street improvements, including appropriate overpaving if legally able, on Jones Boulevard and Horse Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - **VAR-4094**
- **APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 14

MOTION:**MACK – APPROVED subject to conditions – UNANIMOUS****MINUTES:**

NOTE: See Item 130 [GPA-4091] for all related discussion.

(3:38 – 3:44)

4-2465

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-4093) and Site Development Plan Review (SDR-4095).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 132 – VAR-4094

CONDITIONS – Continued:

2. This Variance for 0 square feet where 11,000 square feet is required shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$116,092 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - PUBLIC HEARING - **SDR-4095 - APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 15

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

- *All exterior walls and perimeter landscaping shall conform to the Iron Mountain Ranch Standards. Interior lighting of streets shall be by lamppost and exterior streetlights shall conform with the Iron Mountain Ranch streetlight standard.*

– UNANIMOUS

MINUTES:

NOTE: See Item 130 [GPA-4091] for all related discussion.

3:15 – 3:16)

5-1190

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 133 – SDR-4095

CONDITIONS:

Planning and Development

1. Horses are not allowed within the development.
2. A General Plan Amendment (GPA-4091) to R, Rezoning (ZON-4093) to R-PD3, Variance (VAR-4094) approved by the City Council.
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations, date stamped July 17, 2004, except as amended by conditions herein for a maximum of 62 lots.
6. Maximum building height shall not exceed two stories or 35 feet whichever is less.
7. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 7.5 feet on the corner side, and 15 feet in the rear.
8. The landscaping plan shall be amended to show conformance to Code Standards.
9. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 133 – SDR-4095

CONDITIONS – Continued:

Public Works

14. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4093 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles are proposed within this subdivision.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4564** - **APPLICANT: RIDER'S CHEVRON** - **OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) and to exempt the subject site from the full Multi-use Transportation Trails Standard of the Transportation Trails Element, using instead the proposed "Connector Trail" Standard on 0.79 acres adjacent to the southeast corner of Charleston Boulevard and Rancho Drive (APN: 162-04-101-001), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

23

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted after final agenda – Protest 17 signatures for 14 properties for Item 134 [GPA-4564], Item 135 [VAR-4696], Item 136 [SUP-4565] and Item 137 [SDR-4563] filed under Item 134 [GPA-4564]
5. Submitted at City Council – Four protest letters submitted by Mr. Apple filed under Item 134 [GPA-4564]
6. Submitted at City Council – Protest letter from Robert Apple & Associates submitted by Mayor Goodman
7. Submitted at City Council – Protest letter from Gertrude Rudiak
8. Submitted after meeting: Letter of protest from Dorothy Buset

MOTION:

MONCRIEF – APPROVED – Motion carried with GOODMAN and WOLFSON voting NO

NOTE: MAYOR GOODMAN disclosed that he resides approximately 50 feet outside of the notification area.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MOTION – Continued:

NOTE: COUNCILMAN WOLFSON disclosed that JUDGES MOSLEY and CHERRY reside in the immediate vicinity and have expressed concerns on this item. Even though he appears before both judges, this will not affect his independent judgment on this matter, and he will be voting on the items.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 134 [GPA-4564], Item 135 [VAR-4696], Item 136 [SUP-4565] and Item 137 [SDR-4563].

ATTORNEY BOB GRONAUER, Kummer, Kaemper, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the property owners, TOM JONES and DOLTON CONNORS, who purchased the site about four years ago. The proposed site is located on the southeast corner of Charleston Boulevard and Rancho Drive. The one-acre property has an existing Chevron Station, a landscape buffer and an office complex to the south. There is a 7-11, a childcare facility and medical office uses located in this intersection. Further to the south are Ranch Estate properties.

ATTORNEY GRONAUER presented a photograph depicting the existing Chevron Station and indicated that currently there is no landscaping, which is required by City Code. The applicant intends to match the same type of elevation as that of the existing office complex. This property was rezoned C-1 (Commercial) in 1964. In 1965 the property was approved for a service station. A condition imposed on that service station required the property owner to maintain the vegetation on the southern portion of the property, because at the time the purpose was to buffer the C-1 use from the existing Ranch Estate zoning. In the four years that his clients have owned the property, they have run into problems with respect to building maintenance and environmental issues. Due to the positive changes in this particular area, his clients are looking to redevelop this corner. In doing so, several applications were required.

A neighborhood meeting was held with the adjacent residents where they expressed several concerns, one of which was the additional traffic that the convenience store would create. However, ATTORNEY GRONAUER pointed out that a convenience store does not bring people from other neighborhoods. The second issue was compatibility. The applicants believed that everyone would be pleased that this area is going to be redeveloped. The building will be upgraded similar to a convenience store found at the corner of Charleston Boulevard and Hualapai Way. By using those elevations, it will bring a Summerlin type of development into this area and be compatible with the elevations to the south.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MINUTES – Continued:

ATTORNEY GRONAUER mentioned that there is no landscaping along Rancho Drive, and in working with the neighbors, the applicants will add a landscape buffer as required by Code and plant trees and intense shrubbery. More importantly, the applicants would agree to provide at least 10 feet of landscaping along the southeast portion of the property, increasing the landscaping by 20 feet. In addition, a block wall will be built that will go from six feet to five to four and get smaller as it moves further along towards Charleston Boulevard.

ATTORNEY GRONAUER showed another photograph of the south side of the property and where they intend to provide trees with large canopies and a lot of shrubbery and put in a block wall to help give the neighbors on Rancho Drive a pretty view of the proposed facility. They will continue with the trees and the landscaping along Rancho Drive. This project is appropriate and harmonious to the surrounding properties. In addition, this project meets the landscaping and elevations of the office complex to the south.

BOB APPLE, 1405 Strong Drive, opposed the proposed project and showed a photograph depicting existing vegetation located where the car wash is proposed. The existing station is adequate for the neighborhood. He indicated that a car wash in place of the existing landscaping is not consistent and compatible with the neighborhood. The City put time and effort to form the steering committee for the Rancho Drive and Charleston Boulevard Land Use and Strategic Plan adopted June 19, 2002. He indicated that a letter outlining his concerns was sent to the City Council and Mayor. The focus of the land use plan was to preserve this property as office. The zoning should not be modified to Service Commercial, and he asked that the City Council deny at least the car wash.

ROBERT GENZER, Director, Planning and Development Department, clarified for COUNCILMAN REESE that the basis for staff's recommendation for denial is due to the findings of the Rancho Corridor study.

SHARON FRIEND, 221 Banese Lane, stated that problems with vagrants will continue, even if the existing vegetation is removed. She asked that the green space remain.

DANNY PIPER, President of the Scotch 80's Homeowners Association, appeared on behalf of his neighborhood, which opposes the proposed project. He concurred with MR. APPLE'S comments and asked that the City Council deny the application.

JOHN THORNDAL, 3013 Burton Avenue, has resided in the McNeal area for 37 years and urged the City Council to deny the car wash and leave the green space. Every time a change is made to a neighborhood, it adds to its decline.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MINUTES – Continued:

MARY APPLE, 1405 Strong Drive, ALAN PLATZER, 2901 Bryant Avenue, JAN NICHOLS, 1355 Darmak Drive, and SHELLEY WALTERS, 2112 Kirkland Avenue, appeared in opposition and concurred with the last speakers' comments.

SUSAN BRYAN, 2901 Bryant Avenue, appeared in opposition and asked that the City Council deny the car wash.

RICHARD RUDIAK, 2244 Edgewood Avenue, submitted protest letters for the record. He has resided in this area for 50 years and was present 40 years ago when the initial agreement between the City and that site was approved. The residents of this neighborhood should be allowed to enjoy their properties. The current owners were not aware that the existing green space was a condition that ran with the land. He encouraged the City Council to deny the request.

WILLIAM CURRAN, 2310 Sherman Place, resides across from the proposed project and opposes the project. If this project is approved, the owner of the property will get a substantial increase in property value, whereas his property will decrease.

CHRISTOPHER BIRD, 300 South 4th Street, appeared on behalf of the property owners of the South Rancho Courtyard, who is the developer of the office complex. His concerns are the landscape buffer, which already exists. His client has gone through considerable expense to install the 36-inch box trees along that boundary. He asked that the landscape buffer be maintained. Secondly, the noise from the car wash will be incompatible with the surrounding residential neighborhood.

STEPHEN REILLY recently moved into this area and opposes the car wash. The use is too intense for this busy intersection. He commented that there is no mechanism to make the developer maintain the landscaping. He asked that the applicants maintain whatever landscaping is installed.

ATTORNEY GRONAUER rebutted that the proposal is to move the convenience store to the south side of the property. The entire property is required to conform to the new standards for convenience stores. They have to meet the minimum four square footage requirements. The existing store is outdated and does not meet Code. With respect to the car wash, the applicant was sensitive to the neighbors concerns. It is a single bay car wash, which will be adjacent to the parking garage and the medical facility for the UMC Hospital. He indicated that someone needing the car wash would go into the store, pay for the car wash and drive around into the single bay automatic car wash. There are no vacuums or places to stand to dry the cars.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MINUTES – Continued:

Therefore, the impact in this area is minimum. According to studies, there will be about 30 car washes a day. Due to technology, there will not be loud blowers, and the noise would be minimal. In addition, there is a substantial amount of buffer along the south property line and the eastern portion.

ATTORNEY GRONAUER discussed with MAYOR PRO TEM REESE that the hours of operations are limited to 7:00 a.m. to 10:00 p.m. MARGO WHEELER, Deputy Director, Planning and Development Department, verified that the hours as required by Code are 7:00 a.m. to 10:00 p.m., and these are the hours that were approved by the Planning Commission

MAYOR PRO TEM REESE asked how important the car wash is for this location. ATTORNEY GRONAUER responded it is essential because in order to compete with other convenience stores, some type of amenity is needed. His clients are willing to commit a significant amount of improvements in this area. ATTORNEY GRONAUER commented that the existing open space is not a park, but rather it is has become an attractive nuisance. Homeless people are sleeping in this area, and the public safety aspect of it needs to be considered. Over the last month there have been two fires, and the applicants have had to deal with the homeless. His clients are held liable for whatever happens on this piece of property. He is concerned that at some point in time a serious crime might be committed at this location. He reiterated that the proposed project is compatible in this particular area. ATTORNEY GRONAUER added that the applicants are willing to provide the 36-inch box trees in order to accommodate those residents adjacent to the proposed project.

COUNCILMAN WOLFSON commented that he visited the site and feels the use is not compatible with the surrounding area. He believes the car wash is a major part of the residents' concerns, and he cannot support the project.

COUNCILMAN BROWN asked if the facility were to be upgraded without the car wash, would the applicants still have to encroach into the southern portion. ATTORNEY GRONAUER replied affirmatively. There is a problem with circulation on this site. Back in 1965 when the station was built, there were only two accesses. The applicants had to work with the Public Works Department and NDOT in trying to remove these driveway cuts because some of this right-of-way is controlled by NDOT. The applicants are working with the circulation and adhere to today's regulations and at the same time provide a project that will work. This 40-year old building needs to be refurbished.

COUNCILMAN BROWN indicated that the green space has been referred to as a park and a buffer zone in a condition that was done years ago. He asked staff for the current classification. MR. GENZER replied that staff would not classify it as a park. They agree with

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MINUTES – Continued:

the assessment that a park is something found on one of the City's plans of park locations. This does not appear on any of those. When it was initially approved, it was to act as a buffer for the residential properties to the south and west. The question is whether or not that buffer is still needed, given the fact that the office project has been built and, from a planning standpoint, becomes the buffer to those properties. Therefore, from that aspect, staff does not believe that what is there today is still necessary.

COUNCILMAN BROWN discussed with ATTORNEY GRONAUER that the square footage of the existing buffer/park is approximately 30,000 square feet, and that the proposed landscape buffer on the site plan might be 18 to 20 feet in this corner. Although, there are 30,000 feet in this area, not 30,000 square feet is buffered with trees. There are rocks in the area, and, if anything, there is no landscaping. The proposal is to buffer this area with as many trees as needed to lighten any possible impact. COUNCILMAN BROWN commented that the biggest issues presented by the residents seem to be the removal of the greenbelt and the car wash. ATTORNEY GRONAUER noted that the hours of operations can be explored to closing earlier than 10:00 p.m. He does not believe the noise from the car wash would impact the people on this property.

COUNCILMAN BROWN asked MR. APPLE if the residents might be willing to work with the applicants to resolve their concerns. This investment seems to be what this area needs. MR. APPLE responded that the residents' biggest objection is the car wash because of its incompatibility and the noise that it might produce. The traffic is already a problem, and there are still questions about what impact the traffic generated from the new office complex would have. The residents relied on the land use study, which states there would be no Service Commercial on Rancho Drive. MAYOR GOODMAN submitted for the record a letter he received from MR. APPLE.

JUDGE DONALD MOSLEY, 2027 Westlund Drive, resides adjacent to the proposed project. He pointed out that in 1985 the agreement was that the old gas station would be demolished and a new one built with the existing buffer, which buffers to the southwest and to the west. This is another example of the continued denigration of the neighborhood: more billboards, more concrete, more traffic and more streetlights. It lessens overall desirability of the neighborhood, and more people move out. JUDGE MOSLEY commented that if the applicants lived in this area, they would not want this project. He asked to retain the existing open space. He disagreed with MR. APPLE in that the residents not only object to the car wash but the trading of green for concrete.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MINUTES – Continued:

MAYOR GOODMAN asked if the property would still be developed without the car wash. ATTORNEY GRONAUER replied that if the car wash is removed they would need to add an additional 1,000 square feet on the convenience store floor plan. The green space would need to be removed because the convenience store would need to encroach into that area. MAYOR GOODMAN asked if the applicant would improve the existing station if the City Council denies all the proposals. ATTORNEY GRONAUER responded that that would be a business decision that his clients would have to make.

MAYOR GOODMAN questioned why the landscaping had not been provided before the project came forward. ATTORNEY GRONAUER reiterated that his clients bought the property four years ago. For the last three years they have tried to come in with an application to refurbish this building. However, they were delayed by the Nevada Department of Transportation (NDOT) because they did not allow his clients to remove the curb cuts. In addition, a building moratorium was imposed for this area when they tried to submit an application.

When MAYOR GOODMAN asked the residents if they would support the project without the car wash, they all replied with a definite no.

COUNCILWOMAN MONCRIEF asked staff if the applicant could cut the greenery to one foot high. MARGO WHEELER, Deputy Director, Planning and Development Department, responded that no condition would prevent it. The conditions from 1986 required that there be trees on that portion of the property and that it be maintained.

COUNCILWOMAN MONCRIEF commented that as the Councilwoman representing the area between I-15, Valley View Boulevard, Sahara Avenue and I-95, one of the biggest complaints from residents is about residential urban blight, deteriorating neighborhoods because of vagrants, and neighborhood preservation. Most neighborhoods, especially Ward 1 and Ward 5, would be pleased to see this gas station in their area. The applicants are building a convenience store similar to one found on Charleston Boulevard and Haulapai Way, which would match with the existing development to the south. This type of improvement would set a precedent for improving older areas. This facility has been there for 40 years. The applicants will improve the egress and ingress. However, she does not support the car wash because of the potential noise and traffic.

COUNCILWOMAN MONCRIEF added that she visited the site and that she would not want to live near the open space where vagrants congregate. She would rather see the landscaping as proposed by the applicants. She does not believe it is a park but a privately owned piece of property. The applicant will install new sidewalks. She does not believe that a convenience store and gas station will increase traffic. It would benefit those people who stop to buy milk on their way home. It is not a destination.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 134 – GPA-4564

MINUTES – Continued:

MR. GENZER suggested that the Council vote on Item 136 [SUP-4565] first because, if the car wash is denied, the Variance would no longer be required. ATTORNEY GRONAUER asked that Item 135 [VAR-4696] and Item 136 [SUP-4565] be withdrawn without prejudice and asked that the applicant be granted the extra square footage for the convenience store.

MS. WHEELER explained that for a 3300 or 3500 square foot convenience store the parking required is 14, and the applicant is providing 15 on the current site plan. ATTORNEY GRONAUER asked if the convenience store is increased to 4500 square feet if the parking requirements would change. MR. GENZER replied that the parking requirement would increase, but if the car wash is removed, they would have the space for the additional parking spaces.

Regarding Item 137 [SDR-4563], ATTORNEY GRONAUER verified with COUNCILWOMAN MONCRIEF that the approval would be for 4500 square feet of convenience store floor plan. MR. GENZER suggested that since the plan is being changed, Condition 3 would need to be deleted and simply require a revised site plan to be submitted for staff approval with a maximum of 4500 square feet. ATTORNEY GRONAUER agreed to the condition.

MAYOR GOODMAN declared the Public Hearing closed on Item 134 [GPA-4564], Item 135 [VAR-4696], Item 136 [SUP-4565] and Item 137 [SDR-4563].

(3:44 – 4:45)

4-2698/5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING - **VAR-4696** - **APPLICANT: RIDER'S CHEVRON** - **OWNER: GARRETT GROUP, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 22 SPACES IS THE MINIMUM NUMBER REQUIRED on 0.79 acres at 2237 W. Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest 17 signatures for 14 properties for Item 134 [GPA-4564], Item 135 [VAR-4696], Item 136 [SUP-4565] and Item 137 [SDR-4563] filed under Item 134 [GPA-4564]
5. Submitted at City Council – Four protest letters submitted by Mr. Apple filed under Item 134 [GPA-4564]
6. Submitted at City Council – Protest letter from Robert Apple & Associates submitted by Mayor Goodman filed under Item 134 [GPA-4564]
7. Submitted at City Council – Protest letter from Gertrude Rudiak filed under Item 134 [GPA-4564]
8. Submitted after meeting: Letter of protest from Dorothy Buset filed under Item #134 [GPA-4564]

MOTION:

MONCRIEF – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS

MINUTES:

NOTE: See Item 134 [GPA-4564] for all related discussion.

(3:44 – 4:45)

4- 2698

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-4564 AND VAR-4696 - PUBLIC HEARING - **SUP-4565** - **APPLICANT: RIDER'S CHEVRON** - **OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A PROPOSED CAR WASH/AUTO DETAIL at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest 17 signatures for 14 properties for Item 134 [GPA-4564], Item 135 [VAR-4696], Item 136 [SUP-4565] and Item 137 [SDR-4563] filed under Item 134 [GPA-4564]
5. Submitted at City Council – Four protest letters submitted by Mr. Apple filed under Item 134 [GPA-4564]
6. Submitted at City Council – Protest letter from Robert Apple & Associates submitted by Mayor Goodman filed under Item 134 [GPA-4564]
7. Submitted at City Council – Protest letter from Gertrude Rudiak filed under Item 134 [GPA-4564]
8. Submitted after meeting: Letter of protest from Dorothy Buset filed under Item #134 [GPA-4564]

MOTION:

MONCRIEF – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS

MINUTES:

NOTE: See Item 134 [GPA-4564] for all related discussion.

(3:44 – 4:45)

4- 2698

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND SUP-4565 - PUBLIC HEARING - **SDR-4563** - **APPLICANT: RIDER'S CHEVRON** - **OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and Waivers of perimeter buffering landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks, and building placement for a PROPOSED 1,200 SQUARE-FOOT CAR WASH/AUTO DETAIL AND A 3,325 SQUARE-FOOT CONVENIENCE STORE/SERVICE STATION TO REPLACE AN EXISTING 1,800 SQUARE FOOT CONVENIENCE STORE/SERVICE STATION on 0.79 acres at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest 17 signatures for 14 properties for Item 134 [GPA-4564], Item 135 [VAR-4696], Item 136 [SUP-4565] and Item 137 [SDR-4563] filed under Item 134 [GPA-4564]
5. Submitted at City Council – Four protest letters submitted by Mr. Apple filed under Item 134 [GPA-4564]
6. Submitted at City Council – Protest letter from Robert Apple & Associates submitted by Mayor Goodman filed under Item 134 [GPA-4564]
7. Submitted at City Council – Protest letter from Gertrude Rudiak filed under Item 134 [GPA-4564]
8. Submitted after meeting: Letter of protest from Dorothy Buset filed under Item #134 [GPA-4564]

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 137 – SDR-4563

MOTION:

MONCRIEF – APPROVED subject to conditions as read for the record and amended as follows:

- *A revised site plan shall be submitted for staff approval with a maximum of 4500 square feet of retail, increasing landscaping on the south and east property lines.*

And deleting Condition 3

– Motion carried with GOODMAN voting NO

MINUTES:

NOTE: See Item 134 [GPA-4564] for all related discussion.

(3:44 – 4:45)

4- 2698

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4564) approved by City Council and approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-4565) and a Variance (VAR-4696) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the revised site plan and building elevations date stamped 06/25/04, except as amended by conditions herein. An indication of loading facilities shall be depicted on the site plan, and no vacuum area shall be allowed on the site.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 137 – SDR-4563

CONDITIONS – Continued:

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The waiver of landscaping in perimeter areas has been deemed to be unnecessary. The applicant shall add additional landscaping to screen the car wash queuing area to the satisfaction of the Planning and Development Department.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from the view of abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 137 – SDR-4563

CONDITIONS – Continued:

15. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/04, except as amended by conditions herein.
16. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

17. Dedicate an additional 39 feet of right-of-way for a total radius of 54 feet on the southeast corner of Charleston Boulevard and Rancho Drive prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.
18. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4587** -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request to amend the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: PR-OS (PARK/RECREATION/OPEN SPACE) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 10.00 acres along the south side of Gilcrease Avenue, approximately 660 feet east of Hualapai Way (a portion of APN 125-18-201-010), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

MACK – APPROVED – UNANIMOUS with REESE excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that this site was originally planned for a park; therefore, the change to the general plan will be for PCD, and the Public Works Department, Real Estate Division, will be moving forward with other options on this site.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:45 – 4:46)

5-1494

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4607 - APPLICANT: HELP LAS VEGAS HOUSING CORPORATION II & CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: PF (PUBLIC FACILITIES) TO: H (HIGH DENSITY RESIDENTIAL) on 9.33 acres approximately 200 feet west of Owens Avenue and North Main Street along the south side of Owens Avenue (APN 139-27-502-011), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

WEEKLY – APPROVED as read for the record and amended as follows:

- *Amending the acres from 9.33 to 8.003 acres.*
- UNANIMOUS with REESE excused and MONCRIEF not voting

NOTE: COUNCILMAN MACK disclosed that he is a consultant for a nearby SuperPawn store owned by his brother, STEVEN MACK. He has not discussed this application with his brother nor will it impact his business; therefore, he will vote on both Item 139 and Item 140.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 139 [GPA-4607] and Item 140 [ZON-4608].

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that the property is owned by the City of Las Vegas. The original property was the 9.33 acres, but the plan submitted August 13, 2004 shows that Parcels 4 and 1 add up to a total of 8.003 acres.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 139 – GPA-4607

MINUTES – Continued:

These two sites are proposed to be developed for residential uses, and, therefore, only these two sites are proposed to be redesignated and rezoned. The map will be submitted pursuant to the map shown August 13, 2004. MS. WHEELER explained for COUNCILMAN WEEKLY that the acreage was reduced because another parcel, shown on the map as Parcel 3 proposed for other public service providers for a parking lot, is not appropriate with residential zoning and is being excluded from this application. That parcel is Shade Tree.

COUNCILMAN WEEKLY commented that the City of Las Vegas is doing its part in being good partners in trying to accommodate those that need help.

CRAIG GALATI, 500 Pilot Road, disclosed that although his one-year cooling off period is not complete from his resignation from the Planning Commission, he represents a non-profit corporation, which he is allowed to do under Las Vegas Municipal Code 2.51.030D. He has discussed this issue with DEPUTY CITY ATTORNEY BRYAN SCOTT and is comfortable with proceeding. He is President of Help Las Vegas Housing Corporation II and is not being compensated for representing them.

MR. GALATI stated that he met with the Councilman and staff and is pleased to bring this application forward. He concurred with all conditions.

Regarding Item 140 [ZON-4608], MS. WHEELER added a condition that it would be pursuant to the plans dated stamped August 13, 2004, and amending Condition 4 that the development on the 4.841 acre Help Las Vegas Housing Corporation II site shall be limited to 200 units in size.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 139 [GPA-4607] and Item 140 [ZON-4608].

(4:46 – 4:52)

5-1542

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4607 - PUBLIC HEARING - **ZON-4608** - **APPLICANT: HELP LAS VEGAS HOUSING CORPORATION II & CITY OF LAS VEGAS** - **OWNER: CITY OF LAS VEGAS** - Request for a Rezoning FROM: C-V (CIVIC) TO: R-5 (APARTMENT) on 9.33 acres approximately 200 feet west of Owens Avenue and North Main Street along the south side of Owens Avenue (APN 139-27-502-011), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions as read for the record and amended as follows:

- *The development shall be pursuant to the plans date stamped August 13, 2004.*
 - 4. The development on the 4.841-acre Help Las Vegas Housing Corporation II site shall be limited to 200 units in size.
- UNANIMOUS with REESE excused and MONCRIEF not voting

MINUTES:

NOTE: See Item 139 [GPA-4607] for all related discussion.

(4:46 – 4:52)

5-1542

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4607) from PF (Public Facilities) to H (High Density Residential) approved by the City Council.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 140 – ZON-4608

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. An approved Site Development Plan Review for all future development on the site.
4. The development on the 4.85 acre Help Las Vegas Housing Corporation II site shall be limited to 200 units in size.

Public Works

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4634** - **APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY** - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4634 - PUBLIC HEARING - **ZON-4640** - **APPLICANT: D.R. HORTON, INC.- OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4634 AND ZON-4640 - PUBLIC HEARING - **VAR-4642** -
APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW ZERO OPEN
 SPACE WHERE 1.65 ACRES ARE REQUIRED FOR A SINGLE FAMILY DEVELOPMENT
 on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN
 125-07-710-001 and 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial)
 Zones [PROPOSED: R-PD6 (Residential Planned Development- 6 Units Per Acre)], Ward 6
 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Darla Hubbard

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4634, ZON-4640 AND VAR-4642 - PUBLIC HEARING - **SDR-4641 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 100 LOT RESIDENTIAL DEVELOPMENT on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4637 -
APPLICANT/OWNER: SF INVESTMENTS, LIMITED LIABILITY COMPANY -
Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: R
(RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 2.5 acres
adjacent to the southwest corner of Peak Drive and Bronco Street (APN 138-14-701-003), Ward
5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

WEEKLY – APPROVED – UNANIMOUS with REESE excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 145 [GPA-4657], Item 146 [WVR-4767] and Item 147 [ZON-4644].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaemper Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff conditions.

COUNCILMAN WEEKLY thanked ATTORNEY LAZOVICH for working with the neighbors, as they are extremely active in this area, and they were concerned about this new development. She made everyone feel comfortable.

No one appeared in opposition.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 145 – GPA-4637

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed on Item 145 [GPA-4657], Item 146 [WVR-4767] and Item 147 [ZON-4644].

NOTE: All discussion for Item 145 [GPA-4657], Item 146 [WVR-4767] and Item 147 [ZON-4644] was held under Item 145 [GPA-4657].

(4:52 – 4:55)

5-1755

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER RELATED TO GPA-4637 - PUBLIC HEARING - **WVR-4767** -
APPLICANT/OWNER: SF INVESTMENTS, LIMITED LIABILITY COMPANY -
Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 180 FEET
BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE
SEPARATION REQUIRED adjacent to the southwest corner of Peak Drive and Bronco Street
(APN 138-14-701-003), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). The Planning
Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with REESE excused

MINUTES:

NOTE: See Item 145 [GPA-4637] for all related discussion.

(3:15 – 3:16)

5-1190

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4644).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4637 AND WVR-4767 - PUBLIC HEARING - **ZON-4644 - APPLICANT/OWNER: SF INVESTMENTS, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [R (Rural Density Residential) General Plan Designation] TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 2.5 acres adjacent to the southwest corner of Peak Drive and Bronco Street (APN 138-14-701-003), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with REESE excused

MINUTES:

NOTE: See Item 145 [GPA-4637] for all related discussion.

(3:15 – 3:16)

5-1190

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4637), to amend the land use to L (Low Density Residential) land use designation, approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. Lots identified as 6, 7, 8 and 9 on plans submitted for the July 22, 2004 Planning Commission, the houses shall be limited to single story residences.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 147 – ZON-4644

CONDITIONS – Continued:

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Peak Drive, 30 feet for Bronco Street and a 20-foot radius on the southwest corner of Peak Drive and Bronco Street.
5. Construct half street improvements, including appropriate overpaving, on Peak Drive and Bronco Street adjacent to this site. Streetlights shall be deferred on Bronco Street and the proposed cul-de-sac interior to this subdivision, provided that all underground improvements needed are constructed and the applicant provides such streetlights to the City or equivalent monies are contributed for the future installation of such streetlights. Sidewalk improvements shall not be required to be constructed on Bronco Street adjacent to this site, nor on the cul-de-sac interior to this site concurrent with development of this site, provided that a Covenant Running with Land agreement is executed for the possible future installation of sidewalk improvements on the interior cul-de-sac and on Bronco Street adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the release of a Map for recordation. Also, construct appropriate transitional paving, where legally able, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB – 2321 North Michael Way; DB – 1013 Ingraham Street; DB – 7505 Barkentine Street; DB – 609 North 11th Street; 9/1/2004 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2004

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

DOROTHY BARNES, Las Vegas resident, acknowledged her mental illness and expressed concern with COUNCILMAN WEEKLY using her Nellis distress signal. COUNCILMAN WEEKLY assured her that he had not done so. MS. BARNES added that she is planning a rally. MAYOR GOODMAN asked MS. BARNES if anyone from the City offered her assistance. MS. BARNES replied that she was given telephone numbers of different agencies.

(4:55 – 4:59)

5-1884

STEVEN “CAPTAIN TRUTH” DEMPSEY submitted for the record copies of information from American Mafia.com by STEVE MILLER regarding the disregard for the TAM laws, drunk driving and brutality at the Crazy Horse II. He commented on the Mayor’s introduction of the former Councilman for Ward 1 and the Councilwoman’s indictment. Once again, he requested a Show Cause hearing regarding the Crazy Horse II because the beatings and credit card thefts are ongoing.

(4:59 – 5:04)

5-2065

THOMAS CRAMER, 2655 Brian Douglas Drive, asked the City Council to assist him in resolving a problem he has been having with the Municipal Court regarding a court case regarding his ex-wife and abuse allegations. He now is having difficulties finding a job because of his police record. MAYOR GOODMAN directed DEPUTY CITY ATTORNEY BRYAN SCOTT to assist MR. CRAMER.

(5:04 – 5:09)

5-2276

City of Las Vegas

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Citizen Participation

MINUTES – Continued:

SALVATOR BERNARD, Past Commander of the Sons of the American Legion, Squadron 8, 733 Veterans Memorial Drive, noted that he sent the City Council a copy of the press release about retiring the American flag, scheduled for September 11, 2004, at 10:00 a.m. The event will be held at the Elk's Lodge in Henderson, Nevada. The Boy Scouts and Cub Scouts will be helping, as well as Henderson's American Legion Post 40. They will be retiring flags and asking people to bring flags to dispose of them properly. The project is open to community members, all entities, and businesses. The flags can be dropped off at the American Legion Post 8, located at 733 Veterans Memorial Drive, the Henderson Green Valley Elks Lodge, 631 Lake Mead Parkway, or at American Legion Post 40, 425 Van Wagon, Henderson, Nevada. MR. BERNARD stated that the flags are burned, but it is not referred to as a flag burning, rather flag retirement. Usually flags are burned with respect. COUNCILMAN WEEKLY suggested that the flag flying over the Post Office could be retired.

(5:09 – 5:13)

5-2526

MEETING ADJOURNED AT 5:13 P.M.